

Appeal No. 953/2014

Mr. Basim Mepimool

31.03.2015

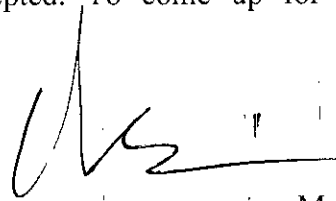
None present for the appellant despite repeated calls from time to time. The Court time is about to over. The appeal is dismissed for want of prosecution. File be consigned to the record.

ANNOUNCED
31.03.2015

@t L.
Member

3.
02.09.2014

Clerk of counsel for the appellant present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 28.10.2014.



Member

4.
28.10.2014

No one is present on behalf of the appellant. Notices be issued to the appellant/counsel for the appellant. To come up for preliminary hearing on 15.01.2015.



Member

5.
15.01.2015

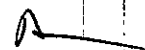
No one is present on behalf of the appellant. To come up for preliminary hearing on 16.02.2015.



Member

6.
16.02.2015

No one is present on behalf of the appellant. Notices be issued to the appellant/counsel for the appellant. To come up for preliminary hearing on 31.03.2015 before S.B.



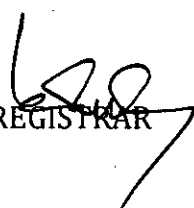
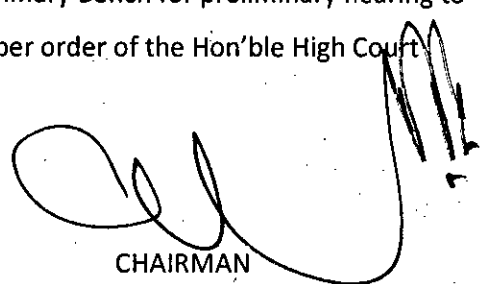
Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No. 953/2014

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	14/07/2014	<p>The present appellants initially went in Writ Petition before the Hon'ble High Court and the Hon'ble High Court vide its order dated 24.06.2014 treated the Writ Petition into an appeal and sent the same to this Tribunal for decision in accordance with law. The same may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	14-7-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on 02.09.2014 as per order of the Hon'ble High Court</p> <p style="text-align: right;"> CHAIRMAN</p>

**THE
PESHAWAR HIGH COURT
PESHAWAR**



Ph: No. 091-9210149-158
Ext: No. 364

No. 12982 /Judl:

Dated Peshawar the 11/7/ 2014

From

The Additional Registrar (J),
Peshawar High Court,
Peshawar.

607
14-7-14

To

✓ The Registrar,
KPK Service Tribunal,
Peshawar.

Subject Writ Petition No. 292-P/2012.

Qasim Mehmood & Janbaz Wali -----Petitioners

Versus

Chief Secretary KPK & others -----Respondents

Memo:

I am directed to send herewith the titled case in original alongwith all annexures & copy of judgment dated 24-06-2014, passed by Division Bench of this Court, for compliance.


ADDITIONAL REGISTRAR (J)

11/7/14

Encl:

As above.

**JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT**

W.P. No. 292.....of..2012.....200

JUDGMENT

Date of hearing 24-6-2014

Petitioners (Dasim Mehmood etc) by
Appellant Shahzada Shahpur Jan, Advocate.
Respondents (Chief Secretary Govt of KPK etc) by
Syed Qaiser Ali Shah, Addl. A.G.

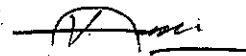
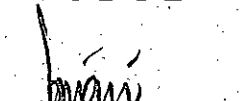
NISAR HUSSAIN KHAN, J.- Petitioners through the

instant petition seek issuance of a writ directing the respondents to upgrade them from the date when the same benefit was allowed to the Establishment of Treasury incumbents.

2. Since the issue of upgradation relates to the terms and conditions of service which falls within the exclusive jurisdiction of the Service Tribunal in terms of Section 212 of the Constitution of Islamic Republic of Pakistan, 1973, whereby

jurisdiction of this court has been ousted. However, since too much progress has been made in the case wherein not only the respondents have filed their comments but rejoinder on behalf of petitioners supported by documents have been brought on record, thus in the interest of justice and in compliance with the earlier order of this court passed in W.P.No.1210/2013 decided on 13.5.2014, we direct the office to retain photo copy of the petition and send the entire file of the instant case to the Khyber Pakhtunkhwa Service Tribunal to proceed in accordance with law. The parties shall appear before the Tribunal on 2nd September, 2014.

Announced on
24th June, 2014


JUDGE

JUDGE

office
08/07/14
9/7/14

(1)

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

Service Appeal No. 953/2014

IN RE:

Writ Petition No. 292-P of 2012

Qasim Mehmood and another... .. Petitioners

VERSUS

Chief Secretary Khyber Pakhtunkhwa and other... .. Respondents

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Through:

Shahzada Shahpur Jan
Petitioners
Far

(Shahzada Shahpur Jan)

And

Shahzada Irfan Zia
(Shahzada Irfan Zia)
Advocates
13-C Haroon Mansion,
Khyber Bazar, Peshawar.

Dated: .01.2012

FILED TODAY
Deputy Registrar
02 FEB 2012

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

Service Appeal No. 953/2014

Writ Petition No. 292-P / of 2012

Qasim Mehmood, Resident Audit Officer
TMA Takht-e-Nasrati District Karak.

- 2. Janbaz Wali, Resident Audit Officer
TMA Lakki Marwat, residents of Takht-e-Nasrati
District Karak. Petitioners

VERSUS

- 1. Chief Secretary to Government of
Khyber Pakhtunkhwa, Civil Secretariat,
Peshawar.
- 2. Secretary to Government of Khyber
Pakhtunkhwa, Finance Department,
Civil Secretariat, Peshawar.
- 3. Director Local Fund Audit Department,
Benevolent Fund Building, Peshawar. Respondents

WRIT PETITION UNDER ARTICLE 199 OF
THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973.

FACTS OF THE CASE

Respectfully Sheweth:

- 1. That the petitioners are regular members of the Provincial Service of
Local Audit Department and holding the posts of Resident Audit
Officer (BPS-16) serving under the Administrative Control of
respondent No.2 and Director Local Fund Audit is the head of the
Directorate.

FILED TODAY

Deputy Registrar

02 FEB. 2012

2. That Government of Khyber Pakhtunkhwa, Finance Department launched a scheme/policy of upgradation and awarded one step promotion to the employees serving in different capacities. By virtue of the said policy certain posts of Treasury Department were upgraded in the year 2007 (Annex: A).
3. That it is expedient to mention that both local Fund Audit and Treasury are attached departments of the Finance Department and their job description, basic qualification is the same. Even the criteria of promotion to next higher post of BPS-17 is parallel and based on seniority-cum fitness for both category of employees qualifying the SAS Examination is compulsory requirement of the rules. The employees of the Local Audit Department were bitterly ignored from the said policy of upgradation.
4. That the petitioners feeling aggrieved of the discriminatory treatment filed the representation inviting the attention of respondent No.2 to the effect that the petitioners being duly qualified with requisite experience, having prescribed professional qualification are entitled for benefit of upgradation to BPS-17, therefore, disparity needs to be removed among the employees of the same category. The petitioners also quoted the instances of Audit and Accounts Department where the similar dispensation was allowed by the Honourable Supreme Court of Pakistan (Annex: B). It is irony of the fact that the request of the petitioners went unheeded (Annex: C). As such for almost five years the respondents dragged their feet and did nothing to finalize a petty matter for fanciful and conjectural reasons.
5. That the functionaries of the office of respondent No.2 raised piecemeal series of unessential observations after one another which were properly attended by respondent No.3 (Annex: D). Even working paper was prepared twice and submitted for consideration of the upgradation committee alongwith copies of other provinces, where the posts of Local Fund Audit Department have been upgraded,

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Deputy Registrar
02 FEB 2012

particularly the Province of Punjab where the posts were upgraded prior to the decision of the Supreme Court of Pakistan. (Annex: E).

6. That respondent No.2 has created anomaly which has casted clouds over the interest of the petitioners, therefore, at no point of time, there was an occasion for respondents to take up summer saults and raise such baseless observations in order to cover its own lapses. The respondent No.3 realizing the delay and discrimination invited the attention of the concerned authorities that the request of the staff is based on genuine grounds and be considered the same compassionately on the analogy of the Pakistan Audit Department/Controller General of Accounts. It was also ensured that Local Fund Audit is a self financer Department and plays tremendous role in earning the Revenue. As such the financial implication of upgradation will not affect the Provincial exchequer, because the same are born by the audit entities of the department in the shape of Audit fee and credited to the public exchequer. In such state of affairs the demand of the petitioners is neither unique nor without force. But to utter dismay of the petitioners, ever since the matter is hanging fire without any tangible result. (Annex: F).

7. That the petitioners did all that they could to resolve the issue within the hierarchy of the department but failed to get relief inspite of fact all observations of the respondent No.2 were properly attended according to the requirement. However, the matter is still in limbo and could not survive for certain underground reasons. Evidently the

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Deputy Registrar
02 FEB 2012

petitioners have not been treated in accordance with Article 4 of the Constitution of Islamic Republic of Pakistan 1973 due to malafide consideration.

8. That there are clear direction of the Honourable Supreme Court of Pakistan, that when departmental authorities procrastinates to decide an issue on appeal of an aggrieved person, the remedy for such person is to seek constitutional remedy for direction to the respondent/department authorities to perform the duty enjoined upon it by law. Thus the respondents are under legal obligation to make a faithful compliance of the Court verdict keeping in view the case of Treasury establishment where the similar dispensation has already been extended. The Superior Courts held in variety of cases that similar placed person should also be given equal treatment instead of adopting the method of pick and choose.

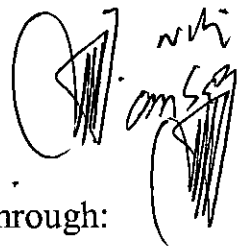
9. That every public officer is legally bound to use reasonable skill and diligence in the performance of his official duties, particularly where right of individual may be jeopardized. The Government have highly skilled staff to deal with such cases quickly, promptly and on priority basis instead of raising unnecessary observation to cause delay. Since the petitioners have no other legal remedy available, therefore, they respectfully call this Honourable Court in aid.

In view of the facts and circumstances of the case it is, therefore, humbly prayed that the respondents may graciously be directed to decide the

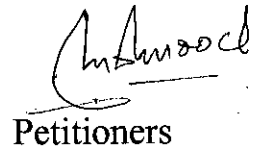
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Deputy Registrar
02 FEB 2012

issue/case of the petitioners as already recommended by respondent No.3 in accordance with the rules, extending the benefit of upgradation of BPS-17 from the date when the same benefit was allowed to establishment of Treasury incumbents.

Any other relief though not specifically asked for to which the petitioners are found entitled in the circumstances of the case may also be granted to the petitioners.



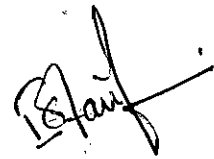
Through:


Petitioners



(Shahzada Shahpur Jan)

And



(Shahzada Irfan Zia)
Advocates, Peshawar.

CEDRTIFICATE:

Certified that as per instructions of my clients, o such writ petition on behalf of the petitioners has earlier been filed in this Honourable Court on the subject matter.



Advocate.

BOOKS OF LAW:

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Deputy Registrar

1. Constitution of Islamic Republic of Pakistan, 1973.
2. Case law according to need.

02 FEB 2012

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

IN RE:

Writ Petition No. 292-P/ of 2012

Qasim Mehmood and another... .. Petitioners

VERSUS

Chief Secretary Khyber Pakhtunkhwa and other... .. Respondents

AFFIDAVIT

I, Qasim Mehmood, Resident Audit Officer TMA Takht-e-Nasrati District Karak, do hereby solemnly affirm and declare that the contents of the accompanying writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Qasim Mehmood
Deponent

IDENTIFIED BY:

Shahzada Shahpur Jan

(Shahzada Shahpur Jan)
Advocate, Peshawar.

No.	6528
Deponent	Qasim Mehmood
Residence	TMA Takht-e-Nasrati, District Karak
Occupation	Resident Audit Officer
Identified by	Shahzada Shahpur Jan Adv
Personally known to me	
Date	30/1/2012
Oath Commissioner Peshawar High Court, Peshawar	

FILED TODAY
Deputy Registrar
02 FEB 2012

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

IN RE:

Writ Petition No. 292-P / of 2012

Qasim Mehmood and another... .. Petitioners

VERSUS

Chief Secretary Khyber Pakhtunkhwa and other... .. Respondents

MEMO OF ADDRESSES

- 1. Qasim Mehmood, Resident Audit Officer
TMA Takht-e-Nasrati District Karak.
- 2. Janbaz Wali, Resident Audit Officer
TMA Lakki Marwat, residents of Takht-e-Nasrati
District Karak. Petitioners

VERSUS

- 1. Chief Secretary to Government of
Khyber Pakhtunkhwa, Civil Secretariat,
Peshawar.
- 2. Secretary to Government of Khyber
Pakhtunkhwa, Finance Department,
Civil Secretariat, Peshawar.
- 3. Director Local Fund Audit Department,
Benevolent Fund Building, Peshawar. Respondents

Through:

(Handwritten signatures)

Petitioners

(Shahzada Shahpur Jan)
Advocate, Peshawar.

FILED TODAY
Deputy Registrar
02 FEB. 2012

BETTER COPY

**GOVERNMENT OF N.W.F.P
FINANCE DEPARTMENT**

Dated Peshawar, the 10th February 2007

NOTIFICATION

No. /5-A/06 The competent authority is pleased to upgraded the under upgradation/Pay Scales in the Treasury Establishment with immediate effect, in the public interest.

Ser	Name of Post/Designation	Existing	Upgraded	Remarks
1.	Deputy District Accounts Officers Peshawar, Mardan, Swat, Abbottabad, Buner, Kohat and D.I. Khan	18	10	On upgradation, redesignated as District Comptroller of Accounts
2.	District Accounts Officers Charsadda, Nowshera & Dir Lower	17	18	On upgradation, redesignated as Senior District Accounts Officer.
3.	Sub Treasury Officers Takht Bhai, Lahore, Tangi, Balakot, Ghazi, B.D. Shah & Kulachi	16	17	
4.	Assistant Treasury Officers in the Office of:- 1) District Comptroller of Accounts. Peshawar, Mardan, Kohat, Abbottabad, Swat, Bannu & D.I. Khan 2) Senior District Accounts Charsadda, Nowshera, Swabi, Haripur, Mansehra & Dir Lower		17	
5.	Assistant Accountant	15	16	
6.	Sub-Accountant	11	14	

**SECRETARY TO GOVT: OF NWFA
FINANCE DEPARTMENT**

NO. /FD/5-41/06 Dated: Pesh: the 10th February, 2007/

Copy forwarded for information and n/a to:-

1. All the Administrative Secretaries, Govt of NWFP, Peshawar.
2. The Senior Member Board of Revenue, NWFP, Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
4. The Accountant General, NWFP, Peshawar.
5. The Principal Secretary to Chief Minister NWFP, Peshawar.

(Annex A)
8

GOVERNMENT OF NWFP
FINANCE DEPARTMENT

Dated Peshawar, the 10th February, 2007.

GOVT. OF NWFP 41/06. The competent authority is pleased to upgrade the under mentioned Scales, in the Treasury Establishment with immediate effect, in the manner as follows:-

Post / Designation	Existing BPS	Upgraded BPS	Remarks
District Accounts Officers Peshawar, Mardan, Swat, Abbottabad, Bannu, Kohat and D.I.Khan.	18	19	On upgradation, redesignated as District Comptroller of Accounts.
District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Mansehra & Dir Lower.	17	18	On upgradation, redesignated as Senior District Accounts Officer.
Treasury Officers Takhat Bhai, Kohat, Targi, Balakot, Ghazi, D.I.Khan & Kulachi.	16	17	
Assistant Treasury Officers in the offices of- i) District Comptroller of Accounts Peshawar, Mardan, Kohat, Abbottabad, Swat, Bannu & D.I.Khan. ii) Senior District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Mansehra & Dir Lower.	16	17	
Assistant Accountant.	15	16	
Sub-Accountant.	11	14	

SECRETARY TO GOVT. OF NWFP
FINANCE DEPARTMENT

Dated Pesh: the 10th February, 2007.

GOVT. OF NWFP 41/06

Copy forwarded for information and n/a to:-

1. All the Administrative Secretaries, Govt. of NWFP, Peshawar.
2. The Senior Member Board of Revenue, NWFP, Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
4. The Accountant General, NWFP, Peshawar.
5. The Principal Secretary to Chief Minister NWFP, Peshawar.

(Annex: B)

(9)

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

PRESENT:

Mr. Justice Iftikhar Muhammad Chaudhry, C.J.
Mr. Justice Ch. Ijaz Ahmed
Mr. Justice Khalil-ur-Rehman Ramday

CIVIL PETITIONS NO.325 TO 397 AND 429 OF 2010

(Against the judgment dated 19.12.2009 of the Federal Service Tribunal, Islamabad, passed in Miscellaneous Petitions No.706 to 712, 714 to 724, 726 to 741, 743 to 745, 747 to 767 and 769 to 782 of 2009)

Ministry of Finance through Secretary Finance,
Government of Pakistan, Islamabad and others.

...Petitioners.
(in all petitions)

VERSUS

Syed Faiz Ali Shah.	... in C.P.325/2010
Syed Munawar Hussain Shah etc.	... in C.P.326/2010
Shaukat Ali Asad etc.	... in C.P.327/2010
Muhammad Umar Hayat etc.	... in C.P.328/2010
Shafaqat Ali etc.	... in C.P.329/2010
Zulfiqar Ali Asai.	... in C.P.330/2010
Muhammad Afzal.	... in C.P.331/2010
Shahid Mehmood Qureshi.	... in C.P.332/2010
Syed Tahir Mahmood Sherazi.	... in C.P.333/2010
Basit Maqbool Hashmi.	... in C.P.334/2010
Ch. Asif Javed.	... in C.P.335/2010
Fazal Qayyum.	... in C.P.336/2010
Khurshid Abid Bhatti.	... in C.P.337/2010
Arif Hussain.	... in C.P.338/2010
Syed Ejaz Hussain Bukhari.	... in C.P.339/2010
Nayyar Latif.	... in C.P.340/2010
Abdul Khaliq Javed.	... in C.P.341/2010
Jawed Ashraf.	... in C.P.342/2010
Iftikhar Ahmed.	... in C.P.343/2010
Shahid Mahmood.	... in C.P.344/2010
Abdul Wahid.	... in C.P.345/2010
Muhammad Ayub Khan.	... in C.P.346/2010
Abdul Khalil.	... in C.P.347/2010
Muhammad Arshad.	... in C.P.348/2010
Muhammad Tufail Malik.	... in C.P.349/2010
Zaheer-ud-Din Bhatti.	... in C.P.350/2010
Mian Ahmed Saeed.	... in C.P.351/2010
Shaukat Ali Saleemi.	... in C.P.352/2010
Obaidullah Khan.	... in C.P.353/2010
Tariq Hussain.	... in C.P.354/2010
Faqir Hussain Shah.	... in C.P.355/2010
Abdul Rasheed.	... in C.P.356/2010
Nasir Mahmood.	... in C.P.357/2010
Muhammad Ilyas.	... in C.P.358/2010
Zahid Hussain.	... in C.P.359/2010
Shahid Ahmed.	... in C.P.360/2010
Muhammad Akhtar.	... in C.P.361/2010
Faqeer Muhammad.	... in C.P.362/2010

ATTESTED

Secretary

Sheer Hayat.
 Muhammad Siddique Janbaz.
 Asbfaq Ahmad.
 Muhammad Shahbaz Bajwa.
 Muhammad Tahir Maqbool.
 Mushtaq Ahmed.
 Muzaffar Ali.
 Khalid Mehmood Nadeem.
 Muhammad Ashraf Naz.
 Tariq Sharif.
 Muhammad Akram.
 Aziz-ur-Rehman.
 Shahid Sultan Gondal.
 Muhammad Ashraf Javed.
 Allah Ditta Butt.
 Munawar Hussain.
 Nazir Ahmed.
 Inayatullah.
 Muhammad Safiq Ahmed.
 Muhammad Sher Khan.
 Raja Muhammad Hanif.
 Muhammad Tariq.
 Rana Mubashir Khan.
 Muhammad Afzal.
 Ejaz Ahmed.
 Liaqat Ali.
 Gulshad Hafeez.
 Javed Akhtar.
 Nadeem Anwar Khan.
 Muhammad Azhar.
 Munawar Saeed.
 Iftikhar Amjad.
 Jawad Tanveer Ahmed.
 Mohammad Anis.
 Khurram Islam.
 Tariq Bashir Malik

... in C.P.363/2010
 ... in C.P.364/2010
 ... in C.P.365/2010
 ... in C.P.366/2010
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 ... in C.P.394/2010
 ... in C.P.395/2010
 ... in C.P.396/2010
 ... in C.P.397/2010
 ... in C.P.429/2010
 ... Respondents.

For the petitioners:

Dil Muhammad Khan Alizai, DAG.
 Syed Zafar Abbas Naqvi, AOR.
 Syed Ishtiaq-ur-Rehman, Director C.G.A.,
 Asghar Ali, S.O., Finance Division.

For the respondents:

Mr. Muhammad Akram Sheikh, Sr. ASC.
 Ch. Muhammad Akram, AOR.
 Syed Faiz Ali Shah, in person.

Date of hearing

15.03.2010

ORDER

IFTIKHAR MUHAMMAD CHAUDHRY, CJ. Secretary Finance,
 Controller General of Accounts in Islamabad alongwith the Accountant
 General, Punjab in pursuance of judgment of the Federal Service Tribunal
 dated 05.12.2008 were directed to take up the issue of upgradation of the

ATTESTED

Supintendent
 Supreme Court of Pakistan
 ISLAMABAD

Posts and decide the same within ninety days but despite clear directions the court their case were not decided, as such, they submitted miscellaneous applications complaining about non-disposal of their cases. Federal Service Tribunal in view of its judgment referred hereinbefore passed the impugned order, para-2, therefore, is reproduced herein below:-

"The department representative of the Accountant General Punjab has submitted a copy of letter dated 19.11.2009, addressed to the Controller General of Accounts, Islamabad, in this letter it is stated that demand made by the petitioners for upgradation of their posts, is genuine and the same be place before the Finance Division, Islamabad on priority level to get the notification of upgradation issued on urgent basis. In view of this letter we find that report of the Finance Division that the parent departments of the petitioners are not correct. Even otherwise the parent departments of the petitioners, the Establishment Division of the Government of Pakistan and the Finance Division are bound by judgment of the Federal Service Tribunal. This judgment has to be implemented in letter and spirit even if any department is not in favour of upgradation. The judgment of the FST has attained finality since it has not been challenged in the apex court. All the respondents including the parent departments and the Establishment Division are under a legal obligation to ensure implementation of the judgment. We accordingly direct that the judgment of the PST shall be implemented by all the respondents. Non-implementation for any reason would tantamount to disobedience and violation of the judgment which would not be legal.

2. It is to be noted that during the pendency of the matter a report was submitted, perusal whereof suggests, that the Establishment Division has strongly opposed the upgradation of the said posts, for convenience, the contents of the said para are reproduced herein below:-

posts and decide the same within ninety days but despite clear directions of the Court their cases were not decided, as such, they submitted miscellaneous applications complaining about non-disposal of their cases. Federal Service Tribunal in view of its judgment referred hereinbefore passed the impugned order, para-2, therefore, is reproduced herein below:

"The departmental representative of the Accountant General Punjab has submitted a copy of letter dated 19.11.2009 addressed to the Controller General of Accounts, Islamabad. In this letter it is stated that demand made by the petitioners for upgradation of their posts is genuine and the same be placed before the Finance Division, Islamabad on priority level to get the notification of upgradation issued on urgent basis. In view of this letter we find that report of the Finance Division that the parent departments of the petitioners are not considering the proposal of upgradation is not correct. Even otherwise the parent departments of the petitioners, the Establishment Division of the Government of Pakistan and the Finance Division are bound by the judgment of the Federal Service Tribunal. This judgment has to be implemented in letter and spirit even if any department is not in favour of upgradation. The judgment of the FST has attained finality since it has not been challenged in the apex Court. All the respondents including the parent departments and the Establishment Division are under a legal obligation to ensure implementation of the judgment. We accordingly direct that the judgment of the FST shall be implemented by all the respondents. Non-implementation for any reason would tantamount to disobedience and violation of the judgment which would not be legal."

2. It is to be noted that during the pendency of the matter a report was submitted, perusal whereof suggests that the Establishment Division has strongly opposed the upgradation of the said posts, for convenience, the contents of the said para are reproduced herein below:-

ATTESTED

Superintendent
Supreme Court of Pakistan
ISLAMABAD

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"(ii) Upgradation of posts in considered under the upgradation policy issued by Establishment Division vide their O.M No.F.8/36/2000-R-J dated 20.01.2001 (Annex-III), According to the said policy Establishment Division recommends the proposal of upgradation and Finance Secretary approved the upgradation of post from BPS-1 to BPS-19 finally. But the same is considered on merit if forwarded by the Department concerned formally. In this case Establishment Division has strongly apposed the upgradation of the said posts (Annex-VI) and sated that it is not possible to upgrade these posts because it is not according to the policy of the upgradation.

3. Learned counsel for the petitioners contended that the criteria laid down in policy was not fulfilled by the respondents, therefore, the Establishment Division has opposed the upgradation. We have time and again drawn the attention of the learned counsel towards the judgment of the Tribunal dated 05.12.20118 and pointed out to him that as far as Establishment Division is concerned, it has nothing to do with the matter as it was the Finance Division or the Controller General of Accounts in Islamabad as well as the Accountant General, Punjab who have to dispose of the cases of respondents, however, the sated that because a policy is laid down by the Establishment Division therefore their concurrence was essential for disposal of the case.
4. A perusal of the above pare indicates that if at all the Establishment Division had any reservation it could have come forward against the judgment dated 05.12.2008 passed by the Federal Service Tribunal to show as its reservation of whatsoever nature. It is also important to note that this is not the first case of the respondents wherein the question of upgradation has been raised. There are so many other departments wherein the upgradation has already taken place and

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(12)

(ii) Up-gradation of posts is considered under the Up-gradation Policy issued by Establishment Division with their O.M. No.F.3/36/2000-R-1 dated 20.1.2001 (Annex-III). According to the said policy, Establishment Division recommends the proposal of up-gradation and Finance Secretary approved the up-gradation of posts from BPS-1 to BPS-19 finally. But the same is considered on merit if forwarded by the Department concerned formally. In this case Establishment Division has strongly opposed the up-gradation of the said posts (Annex-IV) and stated that it is not possible to upgrade these posts because it is not according to the policy of the up-gradation.

(iii) Since the parent Departments of appellant are not supporting the proposal and Establishment Division has also not recommended, therefore, despite formal efforts, their posts cannot be upgraded."

3. Learned counsel for the petitioners contended that the criteria laid down in policy was not fulfilled by the respondents, therefore, the Establishment Division has opposed the upgradation. We have time and again drawn the attention of the learned counsel towards the judgment of the Tribunal dated 05.12.2008 and pointed out to him that as far as the Establishment Division is concerned, it has nothing to do with the matter as it was the Finance Division or the Controller General of Accounts in Islamabad as well as the Accountant General, Punjab who have to dispose of the cases of respondents, however, he stated that because a policy is laid down by the Establishment Division therefore their concurrence was essential for disposal of the cases.

4. A perusal of the above para indicates that if at all the Establishment Division had any reservation it could have come forward against the judgment dated 05.12.2008 passed by the Federal Service Tribunal to show its reservation of whatsoever nature. It is also important to note that this is not the first case of the respondents wherein the question of upgradation has been raised. There are so many other departments wherein the upgradation has already taken place and

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Sup. Independent
Court of Pakistan
ISLAMABAD

Respondents approached the Tribunal on the ground of discrimination and violation of their fundamental rights under Article 25 of the Constitution of Islamic Republic of Pakistan.

5. Learned Counsel for the caveat contended that as far as the Controller General of Accounts, Islamabad is concerned it has consented for the upgradation at the time of hearing of the appeal out of which the judgment dated 05.12.2008 was passed and this is for the first time that the representative of the Controller General is coming forward with a contrary stand. We have notice with great concern that Government department, Controller General of Accounts in Islamabad has failed to take consistent stand in respect the employees especially of the instant case, like some of the other cases where upgradation had taken place in the year 2007, whereas, the argument being raised for declining such relief is that everyone cannot approach the Prime Minister. The story to get such direction in their favour. Once there is a policy and some of the department have already been allowed to upgrade their posts then there should have not been any discrimination towards other departments like the Controller General of Accounts, Islamabad and Accountant General, Punjab and such issue should have been resolved amicably without consulting to the Establishment Division as it was never the party before the Service Tribunal nor it had any reservation against the impugned judgment dated 05.12.2008.
6. Thus, for the foregoing reasons petitions are dismissed with the directions to the Finance Secretary, Government of Pakistan, the Controller General of Accounts in Islamabad as well as the Accountant General, Punjab to implement and dispose of the cases of the respondents strictly keeping in view of the observations made in the judgment dated 05.12.2008 within the period of fifteen days from

impugnated, appeal, reached to the Tribunal on the ground of discrimination and violation of their fundamental rights under Article 25 of the Constitution of Islamic Republic of Pakistan.

The learned counsel for the caveat contended that as far as the Controller General of Accounts, Islamabad is concerned it has consented for the upgradation at the time of hearing of the appeal out of which the judgment dated 05.12.2008 was passed and this is for the first time that the representative of the Controller General is coming forward with a contrary stand. We have noticed with great concern that Government department, Controller General of Accounts in Islamabad, has failed to take consistent stand in respect of the employees especially of the instant case. In some of the other cases where upgradation had taken place in the year 2007, whereas, the argument being raised for declining such relief is that there is no direction of the Prime Minister. The sorry state of affairs is that everyone cannot approach the Prime Minister to get such direction in their favour. Once there is a policy and some of the departments have already been allowed to upgrade their posts then there should have not been any discrimination towards other departments like the Controller General of Accounts, Islamabad and Accountant General, Punjab and such issue should have been resolved amicably without submitting to the Establishment Division as it was never the party before the Service Tribunal nor it had any reservation against the impugned judgment dated 05.12.2008.

Thus, for the foregoing reasons petitions are dismissed with the directions to the Finance Secretary, Government of Pakistan, the Controller General of Accounts in Islamabad as well as the Accountant General, Punjab to implement and dispose of the order of the respondents, strictly keeping in view of the observations made in the judgment, dated 05.12.2008 within the period of fifteen days from

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Supdt. Genl. Accounts
Islamabad

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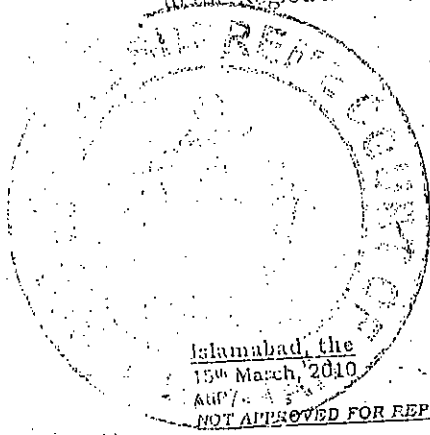
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The date of the receipt of Order and compliance report should be sent to the Registrar of this Court for our perusal in Chambers.

Certified to be true copy

Superintendent
Supreme Court of Pakistan
Islamabad

The date of the receipt of this Order and compliance report should be sent to the Registrar of this Court for our perusal in Chambers



ref. *Atiqah Muhammad Chand*
ref. *Ch. Ijaz Ahmed*
ref. *Khaliq ur-Rehman Ramday*

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Superintendent
Supreme Court of Pakistan
ISLAMABAD

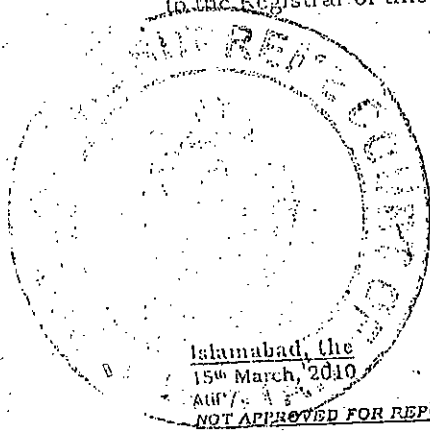
19.3.2010
Rawd Fuses
and delivered to Kamran
July 2010

Case No.	713-P/10	Civil/Criminal
Date of Presentation	22-3-10	
No. Of Words	1800	
No. Of Pages	18	
Requisition No.	5-0-0	
Copy for...	11-16	
Copy for...	16-16	
Date of...	25/03/10	
Copy...	30/3/10	
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Compared by/Checked by		

the date of the receipt of this Order and compliance report should be sent to the Registrar of this Court for our perusal in Chambers.

14

sd/ Afkhar Muhammad Chaudhry
sd/ Ch. Ijaz Ahmed
sd/ Khalid ur-Rehman Ramday



Islamabad, the
15th March, 2010

NOT APPROVED FOR REPORTING

18.3.2010

Received
and delivered to Kamran
20/3/10

Certified to be True Copy

Superintendent
Supreme Court of Pakistan
ISLAMABAD

Case No.	713-P/10	Civil/Criminal
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Court Fee	16.16	
Date of Disposal	25/03/10	
Copy Fee	30/3/10	
Compared by	5	
Reviewed by		

GOVERNMENT OF KHYBER PAKHTUNKHWA
LOCAL FUND AUDIT DEPARTMENT
PESHAWAR

No. L.P.IV/(1)26/ 3972
Dated Peshawar the 7 /5/2010.

To
The Section Officer (E-II),
Government of Khyber Pakhtunkhwa
Finance Department Peshawar.

Subject: UP GRADATION OF AUDITORS FROM (B-14 TO B-16), AUDIT OFFICERS FROM (B-16 TO B-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B-17 TO B-18).

Memo:
Kindly find enclosed herewith an appeal of Assistant Directors (Audit), Audit Officers and Auditors of this Department regarding up-gradation of the post of Auditors (B-14 to B-16), Audit Officers (B-16 to B-17) and Assistant Directors (Audit) (B-17 to B-18) for favourable consideration please.

Encl: As above.

o/c
(MUHAMMAD QASIM)
DIRECTOR
LOCAL FUND AUDIT DEPTT,
KHYBER PAKHTUNKHWA
PESHAWAR

Points for consideration

(2)

(16)

To

The Secretary,
Government of Khyber Pakhtoon Khawa,
Finance Department.

Through: DIRECTOR LOCAL FUND AUDIT KHYBER PAKHTOON KHAWA PESHAWAR.

Subject: UP GRADATION OF AUDITORS FROM (B-14 TO B-16), AUDIT OFFICERS FROM (B-16 TO B-17) & ASSISTANT DIRECTORS (AUDIT) FROM (B-17 TO B 18).

Respected Sir,

Page # 8

Your kind attention is invited to the Government of Khyber Pakhtoon Khawa Finance Department letter No. SO(ESTT)FD/5-41/06 Dated 10-02-2007 and No. SO (ESTT)FD/5-41/08 dated 22-03-2008 (Copies enclosed) where under certain posts of Government of Khyber Pakhtoon Khawa Treasury Department were up graded.

Page # 9

Your kind attention is also invited to the Finance Division Government of Pakistan letter No. 9(9)-R-I/2008-209 dated 03-03-2010 (Copy enclosed) read with Accountant General Pakistan letter No 425/Estt-III.150-C/Court/Creation of Posts/2008 dated 03-04-2010 (Copy enclosed) where under the posts of Junior Auditor, Senior Auditor, Assistant Accounts Officer and Accounts Officer have been up graded on implementing the decision of Honorable Supreme Court of Pakistan.

Page # 11

Page # 12

It will not be out of the way to mention here that Auditor General of Pakistan vide his letter No. 130/Estt.-I/CC/266-2009 dated 07-04-2010 has now proposed to the Secretary Establishment Division Islamabad, the up gradation of the various posts of Pakistan Audit Department on the same analogy.

Page # 13

Sir, the basic qualification for the posts of Assistant Accountant of the Treasury Department as well as in controller General Accounts Pakistan is the same as the minimum qualification required for the posts of Auditor in the Local Fund Audit Department Khyber Pakhtoon Khawa.

It is worth mentioning both Local Fund Audit and Treasury are the attached Departments of Government of Khyber Pakhtoon Khawa, Finance Department.

The mode of promotion to the posts of Assistant Treasury Officer and Audit Officer of Local Fund Audit Department is the same. Both are required to qualify SAS Exam or Seniority cum fitness.

Similarly, the promotion from the post of Auditor to the post of Audit Officer in the Local Fund Audit Department is also on following method.

- a. 20% by initial recruitment through Public Service Commission.
- b. 60% by qualifying SAS Examination. (Conducted by Govt. of Khyber Pakhtoon Khawa, Finance Department)
- c. 20% by promotion on seniority cum fitness basis.

Accordingly, the promotion to the post of Assistant Accounts Officer in the Controller General Account is also required to qualify SAS Exam.

Moreover of the above promotion to the post of Treasury Officer, Accounts Officer and Assistant Director (Audit) in Treasury Department Government of Khyber Pakhtoon Khawa, Controller General Accounts of Pakistan and Directorate of Local Fund Audit Department Khyber Pakhtoon Khawa, respectively is on one and same analogy i.e. Seniority cum fitness.

Sir, the Honorable Supreme Court of Pakistan in its decision in petition No 215-L-218-L and 224-L to 236-L of 2006 in the case of Government Punjab v/s Samina Perveen and others has held. If a tribunal or the Supreme Court of Pakistan decides a point of law relating to the terms and condition of the Civil Servants who litigated and there were other Civil Servants, who may not taken other any legal proceeding in such case, the dictales of Justice and Rules of good governance demand that benefit of the said decision be extended to other Civil Servants also who may not be parties to that litigation instead of compelling them to approach the tribunal or any other legal forum.

It is also worth mentioning here that the financial implication of this up gradation will not be born on the Provincial exchequer, because the same are born by the audit entities of this department in shape of audit fee.

It is, therefore, prayed that keeping in view the above information, the post of Auditors (B-14), Audit Officers (B-16) and Assistant Directors (Audit) (B-17) may kindly be up graded to BPS 16, 17 and 18 respectively and obliged.

Thanking you in anticipation.

Your Obedient Servants,
All Auditors, Audit Officers,
& Assistant Directors (Audit)
Local Fund Audit Department
Khyber Pakhtoon Khawa

LOCAL FUND AUDIT DEPARTMENT

18

S.No	Name	Designation	Signature
	Mion Liaqat Hussain	Assistant Director	
	Muhib Hussain	Audit Officer	
	Arshid Iqbal	Auditor	
	Zahid ur Rehman	Auditor	
	Muhammad Aslal Rafique	Assistant Director	
	Sajid Menmood Qureshi	Assistant Director	
	Asad Yar	Auditor	
	Fida Hussain	Assistant Director	
	Muhammad Matloob	Auditor	
	Muhammad Ali	Assistant Director	
	Jamil Ahmad	Auditor	
	Tehseemullah	Auditor	
	Ijaz Ahmad	Auditor	
	Bashir Ahmad	Assistant Director	
	Kamran Khan	Auditor	
	Yasir Khan	Auditor	
	Muhammad Saleem	Auditor	
	Muhammad Ijaz	Auditor	
	Muhammad Rafique	Audit Officer	
	Arif Jamil	Auditor	
	Sajid	Auditor	

APPLICATION FOR UP GRADATION OF POST OF AUDITORS
AUDIT OFFICERS AND ASSISTANT DIRECTORS.

S.No.	Name	Designation	Signature
1	Muhammad Ali	RAO	[Signature]
2	Muhammad Aslam	RAO	[Signature]
3	Muhammad Hassan	RAO	[Signature]
4	Muhammad Zeb	RAO	[Signature]
5	Bilal Ali	RAO	[Signature]
6	M. Aslam Raza	AD	[Signature]
7	Dashir Ahmad	AD	[Signature]
8	Muhammad Rafiq	RAO	[Signature]
9	Asif Hussain	RAO	[Signature]
10	Muhammad Amin	RAI	[Signature]
11	Ali Aslam	RAI	[Signature]
12	Muhammad Akbar	RAI	[Signature]
13	Muhammad Aslam Khan	RAI	[Signature]
14	Khalid Muhammad	RAI	[Signature]
15	Muhammad Aslam	RAO	[Signature]
16	S. Iqbal Khan	RAO	[Signature]
17	Muhammad Akbar	RAO	[Signature]
18	Farooq Khan	RAO	[Signature]
19	Abdul Wahid	RAI	[Signature]
20	Jehan Zeb	AD	[Signature]
21	AJMAL-KHAN	RAO	[Signature]
22	Zafar Mahmood	RAO	[Signature]
23	Muhammad Noman Khan	AD	[Signature]
24	Muhammad Mansoor Khan	RAO	[Signature]
25	Qasim Mahmood	RAO	[Signature]
26	FARHAZ WALI	RAO	[Signature]
27	MR. DEHAQ	RAO	[Signature]
28	MUHAMMAD KHALID	AD	[Signature]
29	Muhammad Raza	AD	[Signature]
30	Muhammad Aslam	Auditor	[Signature]
31	Muhammad Shamsi Khan	Audit Officer	[Signature]
32	Ishak Ahmed Khan	Audit Officer	[Signature]
33	Muhammad Zafar	Auditor	[Signature]
34	Sardar Hussain	Auditor	[Signature]

LOCAL FUND AUDIT DEPARTMENT, N.W.F.P

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20

NAME	DESIGNATION	SIGNATURE
Shari - Rahman	Asst Director (Audit)	
Amir Ahmad	Auditor	
MUBIN MUSA	Assistant Director	
M. Akram Rafiq	- do -	
IAFIAZ KHAN	Assistant Director	
Farid Ali Khan	Asst. Director	
Muhammad Amin	Auditor	
Amir - Rahim	- do -	
Muhammad Khan	- do -	
Asad Ali Khan	A.A.	
Muhammad Aman	Asst Director Audit	
Muhammad Nazir	Auditor	
Rahim Rahman	"	
Najish Aghar	"	
Ishahd Ahmed Khan	Audit Officer	
Somali Nazir	Auditor	
Muhammad Afzal	Auditor	
Muhammad Amin	Auditor	
ASAD ALI KHAN	Audit Officer	
Jalal Jafar	A.D	
Syed Tayyab Ali Shah	Auditor	
Zaman Khan	Auditor	
S. Iqbal Gul	"	
Zahid Akbar	Asst. Director	
IAFIAZ ALI	AUDITOR	
ISMAIL Gul	Asst. Director	

(A 2122: D)
22

GOVERNMENT OF KHYBER PUKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E.II)FD/3-19/09/Upgradn
Dated Peshawar, the 07/06/2010

To

✓
The Director,
Local Fund Audit Department,
Peshawar.

Subject:- UPGRADATION OF AUDITORS FROM (B-14 TO B-16),
AUDIT OFFICERS (B-16 TO B-17) AND ASSISTANT
DIRECTORS(AUDIT) FROM (B-17 TO B-18)

Page # 1

I am directed to refer to your letter No.L.P.IV(1)26/3972 dated 07/05/2010 on the subject noted above and to state that kindly clarify that how many posts of various categories to be upgraded in the Province? The said information may kindly be furnished to this department immediately.

U
7/6/10
(USMAN SHAH)
SECTION OFFICER (E.II)

Immediate

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U.Sman Ghani/2
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GOVT. OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR.

No.L.P.IV/(1)26// 5727
Dated Peshawar the 9/6/2010. (23)

To

The Section Officer (E-II),
Govt. of Khyber Pakhtunkhwa Finance Department,
Peshawar.

Subject: UPGRADATION OF AUDITORS FROM (B - 14 TO B - 16), AUDIT OFFICERS (B - 16 TO B - 17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B - 17 TO B - 18).

Memo:

Page # 14

Please refer to your letter No.SO(E-II)FD/3-19/09/Upperdn dated 07/06/2010 on the subject noted above.

The requisite information is as under as desired please.

S.No	Designation	No. of Sanctioned Posts
1.	Assistant Director	27
2.	Audit Officer	39
3.	Auditor	115

It is further added that the request of the staff of this Department is based on genuine grounds and may, therefore be considered compassionately on the analogy of the Pakistan Audit Department / Controller General of Accounts. Further on upgradation of the posts there will be no extra burden on the Provincial Ex-chequer as the cost of the staff categorized above will be received from the Audit entities and will be deposited into Government Treasury in shape of Audit fee. It will also enhance the receipt of Finance Department.

M. Rauf Baloch
(ABDUR RAUF BALOCH)
DIRECTOR,

LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

o/c

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 11-08-2010

To,

✓
The Director,
Local Fund Audit Department,
Peshawar.

Subject:-

UPGRADATION OF AUDITORS (BS-14 TO BS-16), AUDIT OFFICERS (BS-16 TO BS-17), ASSISTANT DIRECTORS (AUDIT) (BS-17 TO BS-18) AND DEPUTY DIRECTORS (BS-18 TO BS-19) LOCAL FUND AUDIT DEPARTMENT, PESHAWAR

I am directed to refer to the subject noted above and to state that the Pre-Upgrade Committee meeting was held on 08-07-2010 in the Office of Deputy Secretary (Reg.I), Finance Department and the subject issue was discussed in detail wherein it was decided that a revised working paper on the subject may be submitted for consideration of Upgrade Committee. It was also decided that information from other sister Province wherein the posts of Local Fund Audit Department have been upgraded may be provided if possible.

2. In view of the above, it is requested to kindly furnish a revised working paper for consideration of the Upgrade Committee as soon as possible.

Usman
/ 11.8.10
(USMAN SHAH)
SECTION OFFICER (E.II)

Endst;No. & date even.

Copy forwarded for information to the Deputy Secretary (Reg:II), Finance Department.

SECTION OFFICER (E.II)

25

GOVERNMENT OF NWFP,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR.

No. LPIV (1) 26/8593
Dated Peshawar the 12/8 /2010.

To

The Section Officer (E - II),
Govt. of Khyber Pakhtunkhwa,
Finance Department, Peshawar.

Subject: UPGRADATION OF AUDITORSS (B - 14 TO B - 16), AUDIT OFFICERS (BS - 16 TO BS - 17) AND ASSISTANT DIRECTORS (AUDIT) (BS - 17 TO BS - 18)

Page # 21

Please refer to your letter No. SO(E-II)/FD/3 - 19/Upgra./2010 dated 11/8/2010 on the subject cited above.

Working paper on the subject on the analogy of Pakistan Audit Department and Treasury Department has already been submitted to your good office. It is worth mentioning that categories of Auditors, AAO and AO viz the post of Junior Auditor from (B - 7 to B - 11), Senior Auditor from (B - 14 to B - 16), Assistant Accounts Officer / Assistant Audit Officer from (B - 16 to B - 17) and Accounts Officer / Audit Officer from (B - 17 to B - 18) have been up-graded in Pakistan Audit Department on implementing the decision of Honorable Supreme Court of Pakistan. Similarly the posts of Treasury Officers and Assistant Treasury Officers of Treasury Department have also been up-graded from B - 17 to B - 18, B - 16 to B - 17 respectively as such the posts of Assistant Director (B - 17), Audit Officers (B - 16) and Auditors (B - 14) of Local Fund Audit Khyber Pakhtunkhwa Finance Department are required to brought at par with sister Department viz Accountant General / Auditor General and Treasury Department, hence the same may please be processed. However the up-gradation case of the Deputy Director (B - 18 to B - 19) will be submitted separately to your office on the analogy of Govt. of Punjab after receipt of proper representation from the concerned Deputy Directors.

o/c AL 12/8/10
(ABDUR RAUF BALOCH)
DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT
KHYBER PAKHTUNKHWA,
PESHAWAR.



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E-II)/FD/3-19/Upgra./2010
Dated Peshawar the 27-08-2010

To

The Director,
Local Fund Audit Department,
Peshawar.

Subject;- UPGRADATION OF AUDITORS FROM (B-14 TO B-16),
AUDIT OFFICERS (B-16 TO B-17) AND ASSISTANT
DIRECTORS(AUDIT) FROM (B-17 TO B-18)

Page # 22

With reference to your letter No.LPIV(1)26/8593 dated 12/08/2010 on the subject noted above and to state to kindly provide copies of Notification from Punjab, Sindh & Balochistan adopted by them on the above subject. It is further requested to kindly furnish a copy of the Hon'ble Supreme Court latest decision issued in light of upgradation as desired by the Section Officer (FR) Finance Department vide his letter No.FD/SO(FR)7-18/2010 dated 25/08/2010.

Page # 39-44

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27/8/10
(USMAN SHAH)
SECTION OFFICER (E.II)

24
GOVT: OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR

NO.L.P.IV/(18)20/ 9563
Dated Peshawar the 22/07/2010

The Section Officer (E-II),
Government of Khyber Pakhtunkhwa,
Finance Department Peshawar.

Subject: UP GRADATION OF AUDITORS FROM (B-14 TO B-16), AUDIT OFFICERS FROM (B-16 TO B-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B-17 TO B-18).

Memo:-

Please refer to your letter No.SO(E-II)FD/3-19/Upgra:/2010 dated 27/08/2010 on the subject noted above. Page # 23

The case of the up gradation of Auditors, Audit Officers and Assistant Directors (Audit) needs serious consideration for prompt decision and implementation in light of the following facts:

in the sister Treasury Department, Government of Khyber Pakhtunkhwa the employees of similar / same qualification, experience and job description have already been upgraded in the relevant next grade in 2007 (Copy enclosed as Annexure - I). Page # 8-9

On the analogy of Treasury Department, the employees of the Pakistan Audit Department, having similar qualification and job description contested their case in the Supreme Court of Pakistan and following the decision of Apex Court, the up gradation was granted to the same cadre employees vide notification placed at Annexure - II. (Copy of Supreme Court decision is placed at Annexure - III) Page # 39-44

So far the condition of the Punjab is concerned the up gradation was done even prior to the Supreme Court decision for Pakistan Audit Department (Annexure - IV). Page # 45-46
The Sindh and Balochistan are in process of similar treatment for employees working in similar capacity. There seems to be no reason in further delay that will ultimately amounts to discriminatory treatment.

It is, therefore, humbly requested that the issue may kindly be resolved as quickly as possible.

Enclosed: - As above

(Abdur Rauf Baloch),
DIRECTOR,

LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

To

The Special Secretary
Government of Khyber Pakhtunkhwa
Finance Department, Peshawar.

Subject: UP-GRADATION OF AUDITORS FROM (B-14 TO B-16), AUDIT OFFICERS (B-16 TO B-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B-17 TO B-18).

Kindly refer to this office memo No.L.P.IV/(1)26/3972 dated 07/05/2010 addressed to the SO(E.II) Finance Deptt: followed by correspondences vide No.LP.IV/(1)26/5727 dated 09/06/2010, No.LP.IV(1)26/8593 dated 12/08/2010 and No.LP.IV/(18)20/9063 dated 02/09/2010 on the subject cited above (copies enclosed for ready reference).
Page # 1
Page # 2
page 24

It is submitted that in the sister Treasury Deptt; Govt; of Khyber Pakhtunkhwa the staff having similar/same qualification, experience and job description have been up-graded to next higher grade in the year 2007. Subsequent to the said up-gradation of Treasury Deptt; the employees of the Pakistan Audit Deptt: were also granted the same benefit in light of the supreme court of Pakistan decision.

Accordingly the Auditors, Audit Officers, and Assistant Directors of this Deptt; submitted an appeal to the worthy Secretary Govt; of Khyber Pakhtunkhwa Finance Deptt; which was forwarded to the Section Officer(E-II) on 07/05/2010. However the fate of the employees of this Deptt; regarding up-gradation is still awaited.
Page #

It is therefore humbly requested that the said benefit may kindly be extended to the employees of this Deptt: please.

O/c
DIRECTOR
LOCAL FUND AUDIT DEPTT:
KHYBER PAKHTUNKHWA
PESHAWAR

306
29



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E-II)/FD/3-19/Upgra./2010
Dated Peshawar the 28-10-2010

To,

The Director,
Local Fund Audit Department,
Peshawar.

Subject:- UPGRADATION OF AUDITORS FROM (BS-14 TO BS-16), AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (BS-17 TO BS-18)

Page # 24

1. I am directed to refer to your letter No. L.P.IV/(18)20/9063 dated 01/09/2010 on the subject noted above and to state that the Upgradation Committee meeting was held on 20-10-2010 under the Chairmanship of Secretary Finance in the Conference Room of Finance Department.

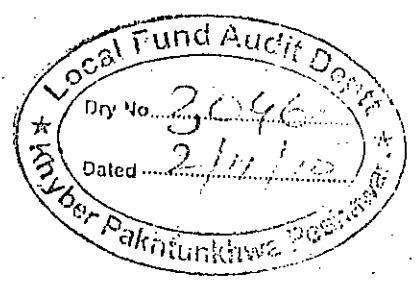
2. The matter on the above subject was thoroughly discussed in the meeting and it was observed that position of other provinces were not ascertained by the Administrative Department, therefore, the chairman advised the departmental representative to obtain position from other provinces as to whether the same has been adopted there or otherwise and also provide service rules of other provinces in this respect that the same could be discussed in next meeting.

3. In view of the above, it is requested to kindly provide the above information at the earliest that next meeting may be fixed on the subject case.

*Immediate
Please do
the needful
at earliest*

SECTION OFFICER (E.II)

E/A
AS
11/11/10



(S.D.)

BETTER COPY
GOVT: OF KHYBER PAKHTUNKHWA
LOCAL FUND AUDIT DEPARTMENT
PESHAWAR.

NO.L.P.IV/(18)20/9599
Dated Peshawar the 20.10.2010

To: The Director,
Local Fund Audit Department,
Punjab, Sindh and Balochistan.

Subject: UPGRADATION OF AUDITORS FROM (B-14 TO B-16) AUDIT
Officers from (b-16 TO B-17) ASSISTANT DIRECTORS (AUDIT)
FROM (B-17 TO B-18)

Memo.

The subject case is under active consideration of Government of Khyber Pakhtunkhwa Finance Department and the Secretary to Government of Khyber Pakhtunkhwa Finance Department has desired that the information regarding up gradation/restructuring of the similar posts may be obtained from the sister departments of other three provinces as to whether the subject up gradation on the analogy of the employees of the Pakistan Audit Department who were granted the benefit in light of the Supreme Court of Pakistan decision, has been adopted by Local Fund Audit Government of Punjab, Sindh and Balochistan or otherwise?

It is therefore requested that the requisite information of your department may kindly be communicated to this department for onward submission to the Finance department Peshawar.

(Abdur Rauf Baloch),
DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR

GOVT. OF KHYBER PAKHTUNKHWA
LOCAL FUND AUDIT DEPARTMENT
PESHAWAR

30

NO.L.P.IV/(18)20/ 9599

Dated-Peshawar the 20 / 10

The Director,
Local Fund Audit Department,
Punjab, Sindh and Balochistan.

Subject: UP GRADATION OF AUDITORS FROM (B - 14 TO B - 16) ASSISTANT OFFICERS FROM (B - 16 TO B - 17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B - 17 TO B - 18).

Memorandum-

The subject case is under active consideration of Government of Khyber Pakhtunkhwa Finance Department and the Secretary to Government of Khyber Pakhtunkhwa Finance Department has desired that the information regarding up gradation/restructuring of the similar posts may be obtained from the sister departments of other three provinces as to whether the subject up gradation on the analogy of the employees of the Pakistan Audit Department who were granted the benefit in light of the Supreme Court of Pakistan decision, has been adopted by Local Fund Audit Government of Punjab, Sindh and Balochistan or otherwise?

It is therefore requested that the requisite information of your department may kindly be communicated to this department for onward submission to the Finance Department Peshawar.

(Abdur Rauf Baloch),
DIRECTOR,

LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.



GOVT: OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR

NO.L.P.IV/(18)20/ 10089
Dated Peshawar the 30 / 11 /2010

To

The Section Officer (E - II),
Government of Khyber Pakhtunkhwa,
Finance Department Peshawar.

Subject: UP GRADATION OF AUDITORS FROM (B - 14 TO B - 16), AUDIT OFFICERS FROM (B - 16 TO B - 17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B - 17 TO B - 18).

Memo:-

Page # 48

Please refer to your letter No.SO(E-II)FD/3-19/Upgra:/2010 dated 28/10/2010 on the subject noted above.

The position of other provinces is as under;

The Local Fund Audit Department Government of Sindh Karachi has already taken up the subject case with the Government of Sindh Finance Department on 29-10-2010 (copy enclosed). And the same is under active consideration of Government of Sindh as well as Baluchistan. Needless to adopt the subject upgradation the Local Fund Audit, Punjab vide order No. SO(B&E)3-1/2009 dated 07-10-2009 (copy enclosed) has already up-graded their posts with immediate effect prior to the decision of Supreme Court of Pakistan.

Page # 51-76

Copy of service rule of the Provinces viz Punjab, Sindh and Baluchistan are also enclosed herewith as desired please.

Enclosed: - As above

(Abdur Rauf Baloch),
DIRECTOR,

LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

12
307
32

To

✓
The Director,
Local Fund Audit Department,
Khyber Pakhtunkhwa,
Peshawar.

No. PDP/1(121)III/ 4038

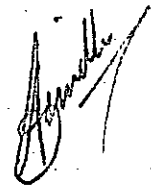
Dated: 1-11-10

Subject: UPGRADATION OF AUDITORS FROM (BS-14 TO BS-16), AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (BS-17 TO BS-18).

Kindly refer to your letter No. L.P.IV/(18)20/9599 dated: 20-10-2010 on the above subject.

2. I am directed to enclose copies of Government letters as under for your kind information and further necessary action please:-

- i). SO(B&E-I)3-1/2009 dated: 24-06-2009.
- ii). SOR-III(S&GAD)1-7/2008 dated: 09-10-2009



(ABDUL GHAFFAR SINDHU)
DEPUTY DIRECTOR (HQ)

D.D.
AS
10/11/10



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 07-12-2010

To,

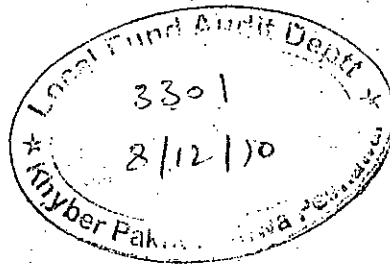
The Director,
Local Fund Audit Department,
Peshawar.

Subject:- UPGRADATION OF AUDITORS FROM (BS-14 TO BS-16); AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (BS-17 TO BS-18)

Page 11 50

I am directed to refer to your letter No. L.P.IV/(18)20/10089 dated 30/11/2010 on the subject noted above and to state that the Government of Baluchistan may be reminded to furnish the information regarding upgradation under intimation to this Department.

SECTION OFFICER (E.II)



E/A

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT



NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 15-12-2010

To,

The Director,
Local Fund Audit Department,
Peshawar.

Subject;-

UPGRADATION OF AUDITORS FROM (BS-14 TO BS-16), AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (BS-17 TO BS-18)

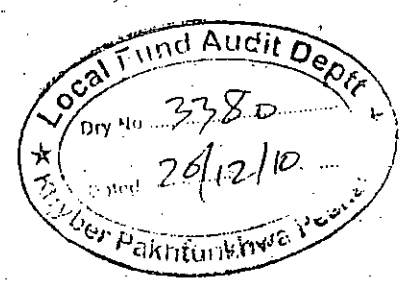
Page # 50

I am directed to refer to your letter No. L.P.IV/(18)20/16089 dated 30/11/2010 on the subject noted above and to state that the case was taken up with Section Officer (FR) Finance Department, who observed that notification forwarded by you are not relevant:

2. Therefore, it is requested to kindly provide relevant copies of Notification of all the three provinces adopted by them on the above subject for early processing of the case.

AD C/Admn
11/12/10
E/A

SECTION OFFICER (E.II)



12/12/10



GOVT. OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR

NO.L.P.IV/(18)20/ 10410
Dated Peshawar the 22 / 12 / 2010

35

To:

The Section Officer (E - II),
Government of Khyber Pakhtunkhwa,
Finance Department Peshawar.

Subject: UP GRADATION OF AUDITORS FROM (B - 14 TO B - 16), AUDIT OFFICERS FROM (B - 16 TO B - 17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B - 17 TO B - 18).

Memo.

Page # 89

Please refer to your letter No.SO(E-II)FD/3-19/Upgrad./2010 dated 15-12-2010 on the subject noted above.

Attention is invited to up gradation committee meeting held on 20-10-2010 under the chairmanship of Secretary Finance Department Peshawar where in the matter on the above subject was thoroughly discussed and it was advised by the worthy Secretary Finance that position of other Provinces may be obtained as to whether the same has been adopted there or otherwise and service rules of other Provinces may also be provided in this respect that the same should be discussed in next meeting.

In compliance of the advice of the worthy Secretary Finance Department Khyber Pakhtunkhwa the undersigned requested the Director Local Fund Audit Department Government of Punjab; Sindh and Baluchistan (Please see flag "A") Page # 49.

On receipt of the requisite record/ information the same was submitted to your office (Please see the flag "B" and "C"). Page # 50

Despite of the fact that the relevant information / position was sent to the quarter concerned, the same has been returned with the observation that copies of notification forwarded by the Director Local Fund Audit are irrelevant (please see flag "D") Page # 89.

Page # 86
It is pertinent to mention here that the subject up gradation is fully covered under parameters of clause -III of the policy /criteria for up gradation of posts issued vide Government of Khyber Pakhtunkhwa Finance Department (Regulation Wing) No. SO (FR)/FD/7-2/2008 dated 11-10-2010 and has been requested on the analogy of the employees of Pakistan Audit Department who were granted the same benefit in light of the Supreme Court of Pakistan decision. Page # 38-46

Keeping in view the above facts it is requested that the subject case may kindly be processed for further necessary action.

Enclosed: - As above

(Abdur Rauf Baloch),
DIRECTOR,

LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

23-12-2010

Page # 34-88

9A

4

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(36)



NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 01-01-2011

To,

The Director,
Local Fund Audit Department,
Peshawar.

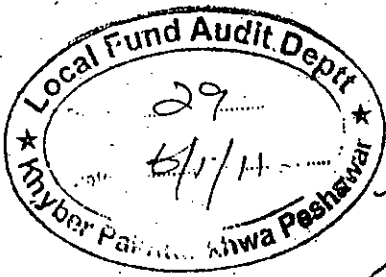
Subject;- UPGRADATION OF AUDITORS FROM (BS-14 TO BS-16), AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (BS-17 TO BS-18)

Page 4/90

I am directed to refer to your letter No. L.P.IV/(18)20/10410 dated 22/12/2010 on the subject noted above and to state that kindly provide relevant copies of Notification of all the three provinces adopted by them on the above subject for early processing of the case. The papers received with your above referred letter does not serve the purpose.

AS
AS
22/11/11

(Signature)
SECTION OFFICER (E.II)



If agree, we may appeal to Secretary Finance Dept. of Khyber Pakhtunkhwa to settled the issue of upgradation on the analogy of treasury treasury, AG and other sister dept. of this province ^{upgradation in making} already covered by him vide letter no. SO(FR)FD/7-2/2008. 11-11-2010.

Director
Agreed
AS
11/1/11

REMINDER

**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**



NO.SO(E-II)/FD/3-19/Upgra:/2010
- Dated Peshawar the 02-02-2011

To:

The Director,
Local Fund Audit Department,
Peshawar.

Subject:- UPGRADATION OF AUDITORS FROM (BS-14 TO BS-16), AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (BS-17 TO BS-18)

I am directed to refer to this Department's letter of even number dated 01-01-2011 on the subject noted above and to state that the requisite information is still awaited. Please provide the same at an early date.

For reaction

8/2

AD (Admin)

[Signature]

E/A

[Signature]

SECTION OFFICER (E.II)



GOVT. OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR

NO.L.P.IV/(18)20/ 1211

Dated Peshawar the 07/02 /2011

To:-

The Section Officer (E - II),
Government of Khyber Pakhtunkhwa,
Finance Department Peshawar.

Subject:

UP GRADATION OF AUDITORS FROM (B - 14 TO B - 16), AUDIT OFFICERS FROM (B - 16 TO B - 17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B - 17 TO B - 18).

Memo,

Page # 91

Please refer to your letter No.SO(E-II)FD/3-19/Upgrad:/2010 dated 01-01-2011 on the subject noted above.

The subject upgradation on the analogy of the employees of Pakistan Audit Department who were granted the same benefit in light of the Supreme Court of Pakistan decision has not yet been adopted by the Local Fund Audit Panjab, Sindh and Baluchistan. Needless to adopt the Local Fund Audit Punjab has already upgraded posts of their staff prior to decision of the Honorable Supreme Court of Pakistan in 2009.

Page # 86. It is pertinent to mention here that the subject upgradation is fully covered under parameters of Clause-III of the policy / criteria for upgradation of posts issued vide Govt. of Khyber Pakhtunkhwa Finance Department (Regulation Wing) No. SO(FR)/FD/7-2/2008 dated 11-10-2010. Page # 84-88

It is once again requested that the subject case may kindly be processed in light of Supreme Court of Pakistan decision for further necessary action.

Page 39-44

(Abdur Rauf Baloch),
DIRECTOR,

LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

QC



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 15-02-2011

To,

The Section Officer(FR),
Finance Department.

Subject: UPGRADATION OF AUDITORS FROM (B-14) TO (B-16), AUDIT OFFICERS(B-16) TO (B-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B-17 TO B-18)

I am directed to refer to the subject noted above and to enclose herewith copies of letter No.L.P.IV/(18)20/1211 dated 07/02/2011 and letter No.L.P.IV/(18)20/10410 dated 22/12/2010 alongwith its enclosures received from Director Local Fund Audit Department, Peshawar for examination and necessary action.

Encl; as above.

Section Officer(E-II)

Endst: NO. & date even.

Copy of the above is forwarded for information to Director Local Fund Department, Peshawar w/r to his letter number cited above.

Section Officer(E-II)

73
40
GOVT: OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(REGULATION WING)

NO. FD/SO(FR)/7-18/2010
Dated Peshawar, the 14-02-2011

To

The Section Officer (Estt:-II),
Finance Department.

Subject: UP-GRADATION OF AUDITORS FROM (BS-14 TO BS-16),
AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT
DIRECTORS (AUDIT) FROM (BS-17 TO BS-18).

Dear Sir,

I am directed to refer to the subject noted above and to state that the Administrative Department is requested to furnish 07 sets of working paper complete in all respect, duly signed and properly flagged, in order place it before the up-gradation committee for consideration.

Yours faithfully,

And
(ANDLEEB NAZ)
SECTION OFFICER (FR)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 17-02-2011

To,

The Director,
Local Fund Audit Department,
Peshawar.

Subject;- UPGRADATION OF AUDITORS FROM (BS-14 TO BS-16), AUDIT OFFICERS FROM (BS-16 TO BS-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (BS-17 TO BS-18)

Page # 93

I am directed to refer to your letter No.L.P.IV/(18)20/1211 dated 07/02/2011 on the subject noted above and to state that (08) sets of working paper regarding upgradation may please be furnished to this department immediately for onward submission to the quarter concerned for further processing of the case.


SECTION OFFICER (E.II)

Endst;No. & date even.

Copy of the above is forwarded for information to the Section Officer (FR), Finance Department w/r to his letter No. FD/SO(FR)7-18/2010 dated 14-02-2011.


SECTION OFFICER (E.II)



GOVT: OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR

NO.L.P.IV/(18)27/ 1587
Dated Peshawar the 01/03 /2011

43

REMINDER

To

The Section Officer (E - II),
Government of Khyber Pakhtunkhwa,
Finance Department Peshawar.

Subject:

REQUEST FOR UP GRADATION OF THE POST (S) OF DEPUTY
DIRECTOR B-18 TO B-19

Memo.

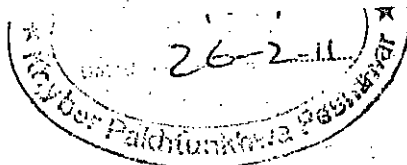
Page # 24

Reference this office memo no. L.P.IV/(18)20/9063 dated 02-09-2010 on
the subject noted above.

Action taken on the subject case is still awaited. It would be highly
appreciated to look into the matter and take necessary action at your earliest please.

(Handwritten signature)
(Abdur Rauf Baloch),
DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

ok



(Handwritten signature)
Section Officer(E-II)

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT



NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 21-02-2011

To,

The Section Officer(FR),
Finance Department.

Subject: UPGRADATION OF AUDITORS FROM (B-14) TO (B-16), AUDIT OFFICERS (B-16 TO (B-17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B-17 TO B-18)

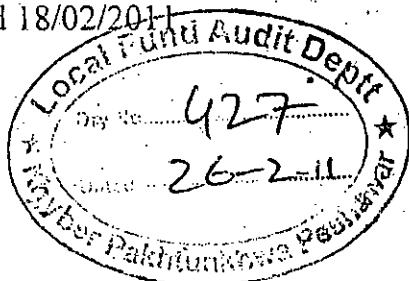
I am directed to refer to your letter No. FD/SO(FR)/7-18/2010 dated 14/02/2010 on the subject noted above and to enclose herewith seven (07) sets of working papers of the subject matter received from Director Local Fund Audit Department, Peshawar for consideration and further necessary action.

Incl; as above.

Section Officer(E-II)

Endst: NO. & date even.

Copy of the above is forwarded for information to Director Local Fund Department, Peshawar w/r to his letter No.L.P.IV/(18)20/1491 dated 18/02/2011



Section Officer(E-II)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 31-05-2011

To

The Section Officer (FR),
Finance Department,
Govt; of Khyber Pakhtunkhwa.

Subject;- UPGRADATION OF AUDITORS FROM (B-14 TO B-16),
AUDIT OFFICERS (B-16 TO B-17), ASSISTANT
DIRECTORS(AUDIT) FROM (B-17 TO B-18) AND
DEPUTY DIRECTOR (B-18 TO B-19)

I am directed to refer to your letter No.FD/SO(FR)7-18/2010
datd 09-05-2011 on the subject noted above and to enclose herewith the
requisite information/documents received from Director Local Fund Audit
for further necessary action as desired please.

Encl; as above.

SECTION OFFICER (E.II)

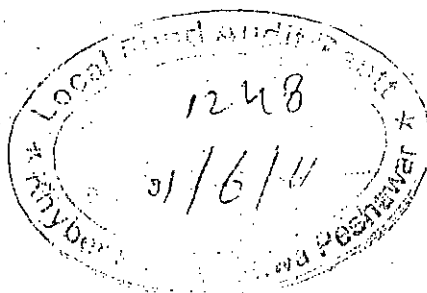
Endst;No. & date even.

Copy forwarded for information to the Director Local Fund
Audit Department, Peshawar w/r to his letter No.L.P.IV/(18)27/4422 dated
28/05/2011.

SECTION OFFICER (E.II)

U/Usman Ghani/U/
3-19

E.A.





GOVT. OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR

NO.L.P.IV/(18)27/

1967

Dated Peshawar the 08/03/2011

102
48

To

The Section Officer (E - II),
Government of Khyber Pakhtunkhwa,
Finance Department Peshawar.

Subject:

UP GRADATION OF AUDITORS FROM (B - 14 TO B - 16), AUDIT OFFICERS FROM (B - 16 TO B - 17) AND ASSISTANT DIRECTORS (AUDIT) FROM (B - 17 TO B - 18).

Memo,

Please refer to your letter No.SO(E-II)FD/3-19/Upgrad:/2010 dated 01/03/2011 on the subject noted above.

Para wise replies are as under: -

Page # 86

1. The instant case falls under Para - III of revised up-gradation policy issued vide Government of Khyber Pakhtunkhwa Finance Department (Regulation Wing) circular letter No.SO(FR)/FD/7-2/2008 dated 11/10/2010. Page. 84 - 88

Page # 103

2. Profārma dully filled in is also enclosed-as desired please.

Enclosed: - As above

(Abdur Rauf Baloch),
DIRECTOR,

LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

OK



105
GOVT: OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR

NO.L.P.IV/(18)27/ 2265
Dated Peshawar the 17/03/2011

To:

The Section Officer (FR),
Government of Khyber Pakhtunkhwa,
Finance Department Peshawar.

Subject:


1. UP GRADATION OF AUDITORS FROM (B - 14 TO B - 16),
AUDIT OFFICERS FROM (B - 16 TO B - 17) AND
ASSISTANT DIRECTORS (AUDIT) FROM (B - 17 TO B - 18).
2. REQUEST FOR UP GRADATION OF THE POST (S) OF
DEPUTY DIRECTOR B-18 TO B-19.

Memo,

In continuation of this office memo No. L.P.IV/(18)20/1491 dated 18-02-2011 on the subject noted above.

16 sets of working paper on the above noted subjects are sent herewith as desired please.

Enclosed: - As above

o/c

(Abdur Rauf Baloch),
DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

126
50

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO(E-II)/FD/3-19/Upgra:/2010
Dated Peshawar the 16-05-2011



To:

The Director,
Local Fund Audit Department,
Peshawar.

Subject: RECORD NOTE OF A MEETING HELD ON 05-04-2011
REGARDING UPGRADATION OF AUDITORS FROM
(BS-14 TO BS-16).AUDIT OFFICERS FROM (BS-16 TO
BS-17).ASSISTANT DIRECTORS (AUDIT) FROM (BS-17
TO BS-18) AND DEPUTY DIRECTOR BS-18 TO BS-19

RD
17/5/11

I am directed to refer to your letter No.L.P.IV/(18)27/2456
dated 31/03/2011 on the subject noted above and to enclose herewith copy
of minutes on the subject mentioned above for information please.

Encl: as above.

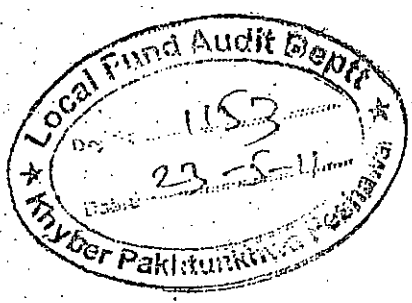
SECTION OFFICER (E-II)

Encls: NO. & date even.

Copy of the above is forwarded for information to Section
Officer (FR) Finance Department, Peshawar w/r to his letter No.FD/SO(FR)
7-18/2010 dated 09/05/2011.

E/A
J

SECTION OFFICER (E-II)



A n n e x E (51)

TO BE SUBSTITUTED FOR ORDER BEARING SAME NUMBER AND DATE

GOVERNMENT OF THE PUNJAB
FINANCE DEPARTMENT

ORDER

No. S.O. (B&E-I) 3-1/2009 The Governor of the Punjab is pleased to accord sanction to the upgradation alongwith regular incumbents of the following posts in the Punjab Local Fund Audit Department with immediate effect as under:-

Sr. No	Existing Designation/ Scale	New Designation and Up-graded Scale
1.	Provincial Director (BS-19)	Provincial Director (BS-20)
2.	Divisional Director (BS-18)	Divisional Director (BS-19)
3.	Assistant Director (BS-17)	Deputy Director (BS-18)
4.	70% of the posts of Audit Officers in BS-16.	Assistant Director (BS-17)

2. The expenditure involved will be met under Head PC 21010/PC 24010(010) General Administration 01-General Public Services-011- Executive & Legislative Organs, Financial -0112 Financial & Fiscal Affairs-011207- Auditing Services- LQ4102- Local Fund Audit Department.

Dated Lahore,
24th June, 2009.

TARIQ MAHMOOD PASHA
FINANCE SECRETARY

NO. SO(B&E-I)3-1/2009

Dated 07.10.2009.

A copy is forwarded for information and necessary action to:-

1. The Accountant General, Punjab, Lahore.
2. All the District Accounts Officers in the Punjab.

(Signature)
(A.Q. SHAMI) 7/10/09

Section Officer (Welfare-II)
Services & General Administration Deptt.

NO. SO(B&E-I)3-1/2009

Dated 07.10.2009.

A copy is forwarded for information and necessary action to:-

1. The Senior Member, Board of Revenue, Punjab, Lahore.
2. The Principal Secretary to the Governor, Punjab, Lahore.
3. The Secretary to the Chief Minister, Punjab.
4. The PS to the Chief Secretary, Punjab.
5. All the Administrative Secretaries, Government of the Punjab, Lahore.
6. All the Heads of Attached Departments in the Punjab.
7. All the Divisional Directors, Local Fund Audit in the Punjab.

(Signature)
(M. RASHID MALHI)
Section Officer (B&E-I)

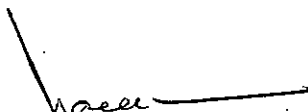
5. Incorrect. The Finance Department has raised some genuine observations which are the requirement of the case under Provincial Government up-gradation policy issued vide **annexure "B"**. A series of meetings of up-gradation committee have been convened to examine the up-gradation of various posts of Directorate of Local Fund Audit Khyber Pakhtunkhwa with reference to its financial implications on Government ex-chequer and its affects on other Provincial Government Departments. It is also incorrect that the various posts of Local Fund Audit Department of others Provinces particularly the Province of Punjab have been upgraded in light of decision of Honorable Supreme court of Pakistan as the decision of Honorable Supreme court of Pakistan was specific to the employees of Pakistan Controller General of Accounts and Auditor General of Pakistan Islamabad.


6. The appeal for up-gradation of various posts of Local Fund Audit Department i.e Auditors from B-14 to B-16, Audit Officers from B-16 to B-17 and Assistant Directors from b-17 to B-18 is already under consideration on the analogy of Pakistan Audit Department and Controller General of Accounts Islamabad who have upgraded the posts of Audit and Accounts cadre in compliance of the decision by Federal Service Tribunal and Honorable Supreme Court of Pakistan. It is also incorrect that no financial implication would be involved in this up gradation as additional funds are always required for any kinds of extension of monetary benefits and facilities to the employees and in this case heavy budgetary allocation would also be involved.

7, 8 & 9.

Incorrect. Both the petitioners are junior most officers of this Department have never approached individually for extension of said facilities which is mandatory before submission of writ petition to the Honorable court. It is worth mentioning here that up gradation case of the employees of Local Fund Audit is still under consideration of the up gradation committee of the Finance Department constituted for the purpose and series of meetings have already been held in order to examine the pros & cons of the case, its financial implication and affects on others Govt; Departments of the province.

As the up-gradation of various posts of Directorate of Local Fund Audit Department Khyber Pakhtunkhwa as mentioned in para No. 6 is still under consideration of competent forum of Finance Department Govt. of Khyber Pakhtunkhwa it is therefore, requested that in light of above facts the said petition may please be rejected.


Respondent No.2
Secretary to
Government of Khyber Pakhtunkhwa,
Finance Department,
Peshawar


Respondent No.3
Director,
Local Fund Audit Department
Khyber Pakhtunkhwa,
Peshawar

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

Writ Petition No. 297-P/012

**Qasim Mahmood Resident Audit Officer ETC
.....PETITIONERS.**

VERSUS

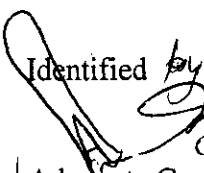
**Chief Secretary
Khyber Pakhtunkhwa & others.....RESPONDENTS.**

AFFIDAVIT

I Amanat Ullah Qureshi Section Officer (Lit-I) Government of Khyber Pakhtunkhwa, Finance Department, do hereby solemnly affirm and declare that the contents of the Para-wise Comments submitted by Secretary to Govt: of Khyber Pakhtunkhwa Finance Department & Director Local Fund Audit, Khyber Pakhtunkhwa are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honorable Court.


DEPONENT

**SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa**

Identified by 
Advocate General
Khyber Pakhtunkhwa
Peshawar
Supdt (J)

12861
certified that the above...
information...
of June 2012 Amanat Ullah Qureshi
section officer Govt. Finance
AC
22/6/12

Amied to

4

GOVERNMENT OF N.W.F.P.
FINANCE DEPARTMENT

Dated Peshawar, the 10th February, 2007

NOTIFICATION

NO. SO (EST) FD/5-41/06. The competent authority is pleased to upgrade the under noted posts Pay Scales in the Treasury Establishment with immediate effect, in the public interest.

Sl. No.	Name of Posts / Designation	Existing	Upgrade	Remarks
		BPS	BPS	
1.	Senior Districts Accounts Officers Peshawar, Mardan, Swat, Abbottabad, Bannu, Kohat and D.I.Khan.	18	19	On upgradation, redesignated as District Comptroller of Accounts.
2.	District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Mansehra & Dir Lower	17	18	On upgradation Redesignated as Senior District Accounts Officer.
3.	Sub-Treasury Officers Takhat Bhai, Lahore, Tangi, Balakot, Ghazi, B.D. Shah & Kulachi.	16	17	
4.	Assistant Treasury Officers in the Offices of:-	16	17	
	i) District Comptroller of Accounts Officer Peshawar, Mardan, Kohat, Abbottabad, Swat, Bannu & D.I.Khan.			
	ii) Senior District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Mansehra & Dir Lower.	16	17	
5.	Assistant Accountant	15	16	
6.	Sub-Accountant	11	14	

SECTION OFFICER (Lit-II)
Finance Department
Peshawar

Assistant Director,
Local Fund Audit Department,
Khyber Pakhtunkhwa,
Peshawar.

SECRETARY TO GOVT. OF NWFP,
FINANCE DEPARTMENT

No. SO (Est) FD/5-41/06

Dated Pesh, the 10th, February, 2007


Copy forwarded for information and n/a to:-

1. All the Administrative Secretaries, Govt. of NWFP, Peshawar
2. The Senior Member Board of Revenue, NWFP, Peshawar
3. The Secretary to Government, NWFP, Peshawar

5

To

- 6. The Secretary Finance Department, Government of the Punjab, Sindh and Baluchistan.
- 7. All Zila Nazims/District Coordination Officers/Political Agents/District & Session Judges/Executive District Officers in NWFP/FATA.
- 8. The Secretary, NWFP Public Service Commission, Peshawar.
- 9. The Registrar, Services Tribunal NWFP, Peshawar.
- 10. The Secretary Board of Revenue, NWFP, Peshawar.
- 11. All Senior/District /Agency Accounts Officers in NWFP/FATA.
- 12. The Director Local Fund Audit, NWFP, Peshawar.
- 13. All Sections/Budget Officers in Finance Department.
- 14. The Treasury Officer, Peshawar.
- 15. P.S. to Minister for Finance NWFP, Peshawar.
- 16. P.S. to Chief Secretary, NWFP, Peshawar.
- 17. P.S. to Additional Chief Secretary, NWFP, Peshawar.
- 18. P.S. to Secretary to Government of NWFP, Finance Deptt. Peshawar.
- 19. P.A. Spl. Secretary Finance Department, Peshawar.
- 20. P.As to All Addl. Secretaries /Dy. Secretaries, Finance Department.


 (NASRULLAH KHAN)
 SECTION OFFICER (ESTT)

F.No. Order (F. 1)

BEFORE THE PESHAWAR HIGH COURT
PESHAWAR

Writ petition No. 292-P/2012

1. Qasim Mahmood, Resident Audit Officer
TMA Takht e Nasrati District Karak
 2. Janbaz Wali Resident Audit Officer
TMA Lakki Marwat, Resident of Takht e Nasrati District Karak
- } -----Petitioners

Versus

1. Chief Secretary to Government of Khyber Pakhtunkhwa,
Civil Secretariat Peshawar
 2. Secretary to Government of Khyber Pakhtunkhwa,
Finance Department, Civil Secretariat Peshawar.
 3. Director Local Fund Audit Department,
Benevolent Fund Building, Peshawar
- } ----Respondents

S #	Description of documents	Annexure	Page #
1	Written reply/comments on behalf of respondent No 2 & 3	--	1-2
2	Affidavit	---	3
3	Notification regarding Treasury up gradation	"A"	4-5
4	Up Gradation Policy of Provincial Government	"B"	6-10


DEPONENT

BEFORE THE PESHAWAR HIGH COURT PESHAWAR
PESHAWAR

Writ petition No. 292-P/2012

1. Qasim Mahmood, Resident Audit Officer -----Petitioners
TMA Takht-e-Nasrati District Karak
2. Janbaz Wali Resident Audit Officer
TMA Lakki Marwat, Resident of Takht-e-Nasrati District Karak

Versus

1. Chief Secretary to Government of Khyber Pakhtunkhwa,
Civil Secretariat Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa, -----Respondents
Finance Department, Civil Secretariat Peshawar
3. Director Local Fund Audit Department,
Benevolent Fund Building, Peshawar

Draft Joint Para wise comments on behalf of Respondent No.2 & 3 are as under

Respectfully Sheweth,


FACTS.

1. Correct that both the employees are serving as Audit Officers (B-16) in the Directorate of the Local Fund Audit Khyber Pakhtunkhwa which is the attached department of the Finance Department Khyber Pakhtunkhwa.
2. Incorrect. No such general policy/ scheme were announced by the Provincial Government of Khyber Pakhtunkhwa Finance Department under which one step promotion or up-gradation was extended to the employees of the Provincial Government. However, certain posts of Treasury and Accounts Department Khyber Pakhtunkhwa were upgraded as per Annexure-"A" which has no relevance with this Department.
3. Correct to the extent that the Local Fund Audit Department Khyber Pakhtunkhwa and Treasury and Account Department Khyber Pakhtunkhwa are the attached Department of Finance Department but their job description, basic qualification, mode of selection and line of promotion is quite different from each other so therefore, no question of ignoring the employees of Local Fund Audit Department have been raised.
4. Incorrect. As petitioners have never invited the attention of respondent No 2 & 3 regarding any discrimination made with them. Beside this both the employees are junior most officers of this Department and do not fulfill the criteria required for promotion from BPS-16 to BPS-17 being having less then five years service at their credit.

GOVERNMENT OF N.W.F.P.,
FINANCE DEPARTMENTDated Peshawar, the 10th February, 2007**NOTIFICATION**

NO.SO(ESTT)/FD/5-41/06. The competent authority is pleased to upgrade the under noted posts/Pay Scales in the Treasury Establishment with immediate effect, in the public interest:

Sr.No	Name of Posts/ Designation	Existing BPS	Up-graded BPS	Remarks
1	Senior Districts Accounts Officer's Peshawar, Mardan, Swat, Abbottabad, Bannu, Kohat and D.I. Khan	18	19	On upgradation Redesignated as District Comptroller of Accounts
2	District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Mansehra & Dir Lower	17	18	On upgradation Re-designated as Senior District Accounts Officer
3	Sub-Treasury Officers Takhat Bhai, Lahore, Tangi, Balakot, Ghazi, B.D Shah & Kulachi.	16	17	
4	Assistant Treasury Officers in the Officer of :- i) District comptroller of Accounts officer Peshawar, Mardan, Kohat Abbottabad, Swat, Bannu & D.I.Khan ii) Senior District Accounts Officers Charsadda, Nowshera, Swabi, Haripur, Mansehra & Dir Lower.	16 16	17 16	
5	Assistant Accountant	15	16	
6	Sub-Accountant	11	14	


SECTION OFFICER (Lit-D)
Finance Department
Khyber Pakhtunkhwa

SECRETARY TO GOVT. OF NWFP
FINANCE DEPARTMENT

No.SO(Estt)FD/5-41/06

Dated Pesh: the 10th, February, 2007.


Copy forwarded to information and n/a to:-

1. All the Administrative Secretaries, Govt: of NWFP Peshawar.
2. The Senior Member Board of Revenue, NWFP, Peshawar.
3. The Secretary to Governor NWFP, Peshawar.

4. The Secretary Finance Department, Government of the Punjab, Sindh and Balochistan.
5. All Zilla Nazims/District Coordination Officers/Political Agents/ District & Session Judge/ Executive District Officers in NWFP/FATA.
6. The Secretary, NWFP Public Service Commission, Peshawar.
7. The Registrar, Services Tribunal NWFP, Peshawar.
8. The Secretary Board of Revenue, NWFP Peshawar.
9. All Senior/District /Agency Accounts Officers in NWFP/FATA.
10. The Director Local Fund Audit, NWFP, Peshawar.
11. All Sections /Budget Officers in Finance Department.
12. The Treasury Officer, Peshawar.
13. P.S to Minister for Finance NWFP, Peshawar.
14. P.S to Chief Secretary, NWFP, Peshawar.
15. P.S to Additional Chief Secretary, NWFP, Peshawar.
16. P.S to Secretary to Govt: of NWFP, Finance Department, Peshawar.
17. P.S to Special Secretary, Finance Department, Peshawar.
18. P.A to All Addl: Secretaries /Dy: Secretaries, Finance Department.

NASRULLAH KHAN
SECTION OFFICER (ESTT)

SECTION OFFICER (Lit-D)
Finance Department
Khyber Pakhtunkhwa


SECTION OFFICER (Lit-D)
Finance Department
Khyber Pakhtunkhwa

Karachi, dated the 29th October- 2010.

To

The Special Secretary (SR)
Finance Department,
Government of Sindh,
Karachi.

Subject:- UP-GRADATION.

In the light of the decision of Supreme Court of Pakistan, the Controller General of Pakistan vide Notification No. 425/Estt:III/150-C dated 03-04-2010 (copy enclosed for ready reference) has up-graded the following posts:-

Name of the post	Existing Scale	Upgraded Scale.
District Accounts Officer / Accounts Officer	BS-17	BS-18
Assistant Accounts Officer/Divisional Accounts Officer	BS-16	BS-17
Senior Auditor/Assistant Supervisor	BS-14/15	BS-16
Junior Auditor	BS-7	BS-11

Here, in the Directorate of Local Fund Audit, Sindh the posts of Assistant Directors, Audit Officers and Auditors need to be up-graded as follows on the analogy of the employees of Controller General of Accounts

Name of the post	Existing Scale	Upgraded Scale.
Assistant Director	BS-17	BS-18
Audit Officer	BS-16	BS-17
Auditor	BS-14	BS-16

Simultaneously, the services of Director (BS-18) being the head of the Department be placed in BS-19 with effective date as 03-04-2010.

Needless to inform that Local Fund Audit, Punjab vide order No.S.O.(B&E)-1 dated 03-01-2009 (copy enclosed) has already up-graded their posts.

(NAZIMUDDIN KHOWAJA)
DIRECTOR

GOVERNMENT OF N.W.F.P,
FINANCE DEPARTMENT
(Regulation Wing)

No.SO(FR)/FD/7-2/2008

Dated Peshawar the 11th October, 2010

To


1. All the Administrative Secretaries, Govt: of Khyber Pakhtunkhwa Peshawar.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary to Governor Khyber Pakhtunkhwa, Peshawar.
4. The Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
5. The Secretary to Provincial Assembly Khyber Pakhtunkhwa.
6. The Registrar Peshawar High Court Peshawar.
7. The Registrar Khyber Pakhtunkhwa Public Service Commission, Peshawar.
8. The Registrar, Service Tribunal NWFP, Peshawar.
9. All the Divisional Commissioners, Khyber Pakhtunkhwa

Subject: **POLICY AND CRITERIA FOR UPGRADATION OF POSTS.**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of revised Policy/Criteria for Up-gradation of Posts duly approved by the Provincial Cabinet in the meeting held on 23rd August, 2010 in supercession of the policy and criteria for up-gradation circulated vide Finance Department letter No. SO(FR)FD/7-2/2008 dated 19-01-2009.

2. I am accordingly directed to request that the enclosed Policy/criteria for up-gradation of posts may please be brought into the notice of all concerned and in future proposal for up-gradation may be scrutinized strictly in accordance with the approved policy before submission to the up-gradation committee for consideration.


SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa

Your faithfully,

(SHAUKATULLAH)
SECTION OFFICER (FR)

END.NO DATE EVEN

Copy is forwarded for information to:

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Section/ Budget Officers, in Finance Department.

SECTION OFFICER (FR)

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(7)

REVISED POLICY AND CRITERIA FOR UPGRADATION OF POSTS.

All proposals regarding upgradation of any post in any Provincial Department or office shall be placed before the following committee for scrutiny and recommendations:-

- i. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department. Chairman
- ii. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department. Member
- iii. Additional Finance Secretary (Regulation) Finance Department. Member-cum-Secretary
- iv. Additional Secretary of the concerned Department. Member


Note: In case the post of Additional Secretary is not sanctioned in concerned department, the Deputy Secretary of the concerned department will represent as member of the up-gradation committee for scrutiny and recommendations of the upgraded posts.

2. No proposal/ request for up-gradation of post(s) to higher pay scale shall be entertained except in following cases:

UPGRADATION OF POSTS PROPOSED AS PART OF RE-ORGANIZATION/ RE-STRUCTURING OF DEPARTMENTS

Proposals for upgradation of certain posts as a sequel to the re-organization/re-structuring of the department/ organization will be considered/ scrutinized by the committee on following parameters:

- (i). Objectives set forth for Re-organization.
- (ii). Reasons, factors and impediments in the existing structure which led to Re-organization process.
- (iii). Why upgradation of some posts are essential for re-organization.
- (iv). Proposed changes in method of recruitment as part of re-organization proposed. Provided that before submitting proposals of upgradation of posts to the Finance Department in such cases, the Administrative Department will do proper consultation with Establishment Department for developing a practical and modest Re-organization proposal.


SECTION OFFICER (Lt-1)
Finance Department
Khyber Pakhtunkhwa

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II. UPGRADATION OF POSTS PROPOSED DUE TO INDIVIDUAL HARDSHIP CASES:

(a) Proposals for upgradation of certain posts due to the reasons that some civil servants do not have further promotion chances and have stayed on one position for reasonably long time, will be placed before the committee for consideration only if the proponent department provides following information:-

- (i) *Reasons due to which concerned Government servant is unable to be promoted in normal procedure.*
- (ii) *All requisite details about creation of such posts and formulation of service rules with particular reference to the reasons as to why the service rules can not give career progression to the holders of these posts.*
- (iii) *Whether organizational structure as well as service rules need revision to avoid recurring of the hardship to the future entrants.*
- (iv) *The steps taken by the department concerned to resolve such hardships on permanent basis.*

(b) The committee after proper scrutiny of case in terms of above parameter and if satisfied that the upgradation of certain posts is the only solution may make its recommendations to the competent authority for upgradation on personal basis provided that:-

- (i) *There shall be no upgradation of post beyond BPS-19 in such cases.*
- (ii) *Such recommendations will only be made in case where there are absolutely no promotion prospects in the service structure for incumbent of said post(s).*
- (iii) *No such recommendations will be made in a case where the incumbent has less than 10 years of stay on one and the same position.*
- (iv) *The incumbent has not been earlier elevated in the existing pay scale by personal upgradation.*
- (v) *The proposed upgradation will be personal to the incumbent and the post shall stand downgraded, as and when vacated by such incumbent.*

III. UPGRADATION OF POSTS PROPOSED ON GROUNDS OF PRINCIPLE OF PARITY.

While processing the cases where the proponent department seeks upgradation of certain posts to a higher pay scale on the analogy of similar posts in some other department in this province created with same nomenclature the committee shall take into account following parameters

7

- (i) Ascertainment of full details about all such posts created with same nomenclature by any other department in addition to those departments whose analogies have been quoted by proponent department.
- (ii) Nomenclature shall not be the sole criterion for determining parity/comparability of post(s). Other details, i.e. the job description and prescribed qualification would necessarily be examined.
- (iii) In case of difference of prescribed qualification or the job description (or both) as the case may be, the committee may direct change of nomenclature of post(s) in any department to avoid confusion on this ground.
- (iv) The committee may associate with all such departments having same nomenclature of certain post(s) with same responsibilities and same qualifications to ascertain as to what were reasons for creation of same posts in different departments with different pay scales, and thus make recommendations in respect of all such posts in all concerned departments, whether they took up the case or otherwise, to bring uniformity in pay scales in all departments to avoid future references.


Provided that the committee shall not recommend such proposals for uniformity where prescribed qualifications as well as the qualifications possessed by existing incumbents is not at par with the post(s)/incumbents cited as precedence.

Provided further that in such cases the committee may recommend change of nomenclature of either those post(s) having higher prescribed qualifications or those having lesser prescribed qualifications as may be deemed appropriate by the committee.

IV. UPGRADATION PROPOSED FOR RETENTION OF AN OFFICER ON SAME POST AFTER HIS PROMOTION TO HIGHER PAY SCALE

Retention of an officer on the same post after he has been promoted to next higher position by the competent authority is against the spirit of the promotion policy, hence shall not be ordinarily allowed. However, in case due to peculiar exigencies of services if it becomes unavoidable to retain a promoted officer on the same position then the concerned department shall move a summary for the Chief Minister mentioning therein the detailed reasons and justifications in support of their such proposal and route it through the Establishment Department and the Finance Department for obtaining orders of the Chief Minister, Khyber Pakhtunkhwa.

Provided that in such cases the post will be up-graded personally for the incumbent till his stay as such and shall automatically stand downgraded to its original position thereof.


SECTION OFFICER
Finance Department
Khyber Pakhtunkhwa 8

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V. UPGRADATION OF A POST PROPOSED ON THE ANALOGY OF SOME OTHER PROVINCE.

Any order made by any other Province regarding creation of a post with certain nomenclature in certain pay scale does not have any binding effect on any other Province to follow the same. Therefore, in such cases the committee shall examine the proposals totally on its own merit keeping in view the above mentioned guidelines, in general, and shall furnish its recommendations independently.

3. The committee may, however, take any other point into consideration while examining proposed upgradation to ensure effective running of a department/ organization in public interest.

4. The recommendations of the above committee shall be submitted for approval of the competent authority as per table given below:--

Sr. No.	Scale	Competent authority	
1.	BPS-1 to BPS-15	Competent Authority (Finance Department) (In case of Finance Department employees the competent authority shall be Admn. & Establishment Department)	In consultation with the above inter departmental committee
2.	BPS-16 to BPS-17	Chief Secretary, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee
3.	BPS-18 & above	Chief Minister, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee


 SECTION OFFICER (L-1)
 Finance Department
 Khyber Pakhtunkhwa

Better Copy

REVISED POLICY AND CRITERIA FOR UPGRADATION OF POSTS

All proposals regarding upgradaton of any post in any Provincial Department or office shall be placed before the following committee for scrutinization and recommendations:-

- i. Secretary to Govt: of Khyber Pakhtunkhwa , Chairman
Finance Department
- ii. Secretary to Govt: of Khyber Pakhtunkhwa , Member
Establishment Department.
- iii. Additional Finance Secretary (Regulation) Member-cum-secretary
Finance Department
- iv. Additional Secretary of the concerned Member
Department.


Note: In case the post of Additional Secretary is not sanctioned in concerned department, the Deputy Secretary of the concerned department will represent as member of the up-gradation committee for scrutiny and recommendation of the upgradatoin posts.

2. No proposal/request for up-gradation of post(s) to higher pay scale shall be entertained except in following cases:-

- I. **UPGRADATION OF POSTS PROPOSED AS PART OF RE-ORGANIZATION / RE-STRUCTURING OF DEPARTMENT.**

Proposal for upgradation of certain posts as a sequel to the re-organization/ restructuring of the department/ organization will be considered/scrutinized by the committee on following parameters:-

- (i) *Objectives set forth for Re-organization.*
- (ii) *Reasons, factors and impediments in the existing structure which led to Re-organization process.*
- (iii) *Why upgradation of some posts are essential for re-organization.*
- (iv) *Proposed changes in method of recruitment as part of re-organization proposed; provided that before submitting proposals of upgradation of posts to the Finance Department in such cases, the Administrative Department will do proper consultation with establishment department for developing a practical and modest Re-organization proposal.*


SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa

II. UPGRADATION OF POSTS PROPOSED DUE TO INDIVIDUAL HARDSHIP CASES.

(a) Proposals for upgradation of certain posts due to the reason that some civil servants do not have further promotion chances and have stayed on one position for reasonably long time, will be placed before the committee for consideration only if the proponent department provides following information.

(i) *Reasons due to which concerned Government servant is unable to be promoted in normal procedure.*

(ii) *All requisite details about creation of such posts and formulation of service rules with particular reference to the reasons as to why the service rules can not give career progression to the holders of these posts.*

(iii) *Whether organizational structure as well as service rules need revision to avoid recurring of the hardship to the future entrants.*

(iv) *The step taken by the department concerned to resolve such hardship on permanent basis.*

(b) The committee after proper scrutiny of cases in terms of above parameter and if satisfied that the upgradation of certain post(s) is the only solution, may make its recommendations to the competent authority for upgradation on personal basis provided that:-


(i) *There shall be no upgradation of post beyond BPS-19 in such cases.*

(ii) *Such recommendation will only be made in case where there are absolutely no promotion prospects in the service structure for incumbent of said post(s)*

(iii) *No such recommendations will be made in a case where the incumbent has less than 10 years of stay on one and the same position.*

(iv) *The incumbent has not been earlier elevated in the existing pay scale by personal upgradation.*

(v) *The proposed upgradation will be personal to the incumbent and the post shall stand downgraded as and when vacated by such incumbent.*


SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa

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While processing the cases where the proponent department seeks upgradation of certain posts to a higher pay scale on the analogy of similar posts in some other department in this province created with same nomenclature the committee shall take into account following parameters.

- (i) *Ascertainment of full detail about all such posts created with same nomenclature by any other department in addition to those departments whose analogy has been quoted by proponent department.*
- (ii) *Nomenclature shall not be the sole criterion for determining parity/ comparability of post(s). Other details i.e. the job description and prescribed qualification would necessarily be examined.*
- (iii) *In case of difference of prescribed qualification or the job description (or both) as the case may be, the committee may direct change of nomenclature of post(s) in any department to avoid confusion on this ground.*
- (iv) *The committee may associate with all such department having same nomenclature of certain post(s) with same responsibilities and same qualifications to ascertain as to what were reasons for creation of same posts in different departments with different pay scales, and thus make recommendations in respect of all such posts in all concerned departments, whether they took up the case or otherwise, to bring uniformity in pay scale in all departments to avoid future references.*


Provided that the committee shall not recommend such proposals for uniformity where prescribed qualifications as well as the qualifications possessed by existing incumbents is not at par with the posts(s) incumbents cited as precedence.

Provided further that in such cases the committee may recommend change of nomenclature of either those post(s) having higher prescribed qualifications or those having lesser prescribed qualification as may be deemed appropriate by the committee.

IV. **UPGRADATION PROPOSED FOR RETENTION OF AN OFFICER ON SAME POST AFTER HIS PROMOTION TO HIGHER PAY SCALE.**

Retention of an officer on the same post after he has been promoted to next higher position by the competent authority is against the spirit of the promotion policy hence shall not be ordinarily allowed. However, in case due to peculiar exigencies of services if it becomes unavoidable to retain a promoted officer on the same position than the concerned department shall move a summary for the Chief Minister, mentioning therein the detailed reasons and justifications in support of their such proposal and routed in through the Establishment Department and the Finance Department for obtaining orders of the Chief Minister Khyber Pakhtunkhwa.

Provided that in such cases the post will be up-graded personally for the incumbent till his stay as such and shall automatically stand downgraded to its original position thereof.


COMMISSION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa


V. **UPGRADATION OF A POST PROPOSED ON THE ANALOGY OF SOME OTHER PROVINCE**

Any order made by any other Province regarding creation of a post with certain nomenclature in certain pay scale does not have any binding effect on any other Province to follow the same. Therefore, in such cases the committee shall examine the proposal totally on its own merit keeping in view the above mentioned guidelines, in general, and shall furnish its recommendation independently.

3. The committee may, however, take any other point into consideration while examining proposed upgradation to ensure effective running of a department/ organization in public interest.

3. The recommendation of the above committee shall be submitted for approval of the competent authority as per table given below:

Sr. No.	Scale	Competent authority	
1	BPS-1 TO BPS-15	Competent Authority (Finance Department) (in case of Finance Department employees the competent authority shall be Admn: & Establishment Department)	In consultation with the above inter departmental committee.
2	BPS-16 TO BPS-17	Chief Secretary, Khyber Pakhtunkhwa	In consultation with the above inter departmental committee.
3	BPS-18 & above.	Chief Minister Khyber Pakhtunkhwa	In consultation with the above inter departmental committee.


SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

IN RE:

W.P. No. 292 / of 2012

Qasim Mehmood and another... .. Petitioners

VERSUS

Chief Secretary Khyber Pakhtunkhwa and others... .. Respondents

REJOINDER OF THE PETITIONERS

Respectfully Sheweth:

1. Not disputed the averment admitted as correct by the respondents.
2. That statement of the respondents based on lack of knowledge. The Government of Khyber Pakhtunkhwa has already extended one step upgradation to all the Provincial Departments. (Copies are attached. However, the record of this writ petition would show that respondent No.2 strongly recommended, supported the claims of the petitioners even prepared the working paper and submitted to the authorities for grant of upgradation, now taken contrary view.
3. Incorrect and misleading. The Local Fund Audit and Treasury and Accounts Department have close relevance. Their basic academic and professional qualification of SAS is the same and their job description is also of identical nature. The respondents are making a false statement to mislead the Court. The record of the writ petition would reveal that the attention of the respondents were drawn time and again (see page 15 to 21 of the writ).

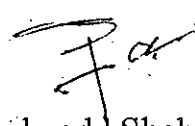
4. Incorrect. The petitioners having more than five years long service and their names are also on senior part of the seniority lists. Thus both the petitioners fulfilled the criteria of promotion/upgradation. It is to be noted that for purpose of upgradation no length of service is prescribed. (Copies of Seniority List attached).
5. There are series of the decisions of the Honourable Supreme Court of Pakistan that as and when the superior Courts decide a question of law, the same benefit be extended to others. The petitioners also entitled to one step upgradation as is allowed to the Treasury Staff and others. The replies of the para five (5) of the comments are already available in the writ petition. It appears that the respondents have not properly attended the averments of the writ petition.
6. The respondent No.3 has already stated in his letter dated 9.6.2010 that on upgradation of the posts, there will be no extra burden on Provincial exchequer as the cost of the staff will be received from Audit entities and will be deposited into government Treasury in the shape of Audit Fee. (Kindly see page 23 of the writ petition).
- 7,8&9. The proper reply has already been given in the above paragraphs. Need no further elucidation.

It is, therefore, humbly prayed that the relief may kindly be granted as prayed for in the writ petition.

Dated: .09.2012

Petitioners

Through:


(Shahzada Shahpur Jan)
Advocate, Peshawar.

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

IN RE:

W.P. No. 292 / of 2012

Qasim Mehmood and another... .. Petitioners

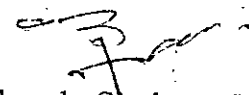
VERSUS

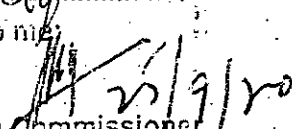
Chief Secretary Khyber Pakhtunkhwa and others... .. Respondents

AFFIDAVIT

I, Shahzada Shahpur Jan Advocate Peshawar, on the instructions of my clients, do hereby solemnly affirm and declare that the contents of this Rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Deponent . . .


Shahzada Shahpur Jan
Advocate, Peshawar (.

No. <u>2659</u>
Certified that the above was verified on solemn affirmation before me in office, this <u>25th</u> day of <u>SEP</u> 200 <u>2</u> by <u>Shahzada Shahpur Jan</u> s/o <u>Adv</u> no <u>Peshawar</u> who was identified by <u>Secy</u> Who is personally known to me <u>Secy</u>
 Oath Commissioner Peshawar High Court, Peshawar



(4)
GOVT: OF KHYBER PAKHTUNKHWA,
LOCAL FUND AUDIT DEPARTMENT,
PESHAWAR.

Dated Peshawar the 18 / 09 / 2012

NOTIFICATION

No.L.P.VI/ (14)3/ 4748-77 In exercise of the powers conferred under sub section (1) of section - 8 of the North West Frontier Province Civil Servants Act, 1973 (NWFP No.XVIII of 1973) the final seniority list as stood on 31/12/2011 of the Audit Officers of Local Fund Audit Department Khyber Pakhtunkhwa Peshawar is notified for information to all concerned.

M. Ishaq
DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

, Dated Peshawar the ___ / ___ / 2012

No. L.P.VI/ (14)3/ _____

Copy forwarded to: -

1. All the Audit Officers.

Sd.
DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR.

M. Ishaq
[Signature]

5

FINAL SENIORITY LIST OF AUDIT OFFICERS (B-16) IN LOCAL FUND AUDIT DEPARTMENT KHYBER PAKHTUNKHWA AS STOOD ON 31-12-2011

S/No	Name	Qualification	Date of Birth	Domicile	Date of first entry into Govt: Service	Date of joining this Deptt: as Auditor	Date of Appoin: to present post	Method of recuitment appiointment
1	MR. ABDUL NASIR	M.A	8/1/1961	Chitral	15/11/81	15/11/81	2/12/2004	BY Promotion
2	MR. ALAMZEB	M.A	4/6/1964	Nowshera	12/9/1983	12/9/1983	28/01/2005	BY Promotion
3	MR. MUHAMMAD ASHFAQ	B.A	1/1/1960	Nowshera	12/9/1983	12/9/1983	28/01/2005	BY Promotion
4	MUHAMMAD MUMRAIZ KHAN	M.A	5/11/1954	Nowshera	1/10/1983	1/10/1983	28/01/2005	BY Promotion
5	MR. IRSHAD AHMAD KHAN	M.A	21/10/1973	Peshawar	27/6/1995	27/6/1995	31/05/2005	BY Promotion (SAS)
6	MR. QASIM MEHMOOD	MBA	28/8/1976	Karak	31/5/2004	---	31/5/2007	Initial Recruitment
7	MR. JANBAZ WALI	MBA	18/3/1977	F.R Bannu	26/10/2005	24/02/2007	31/5/2007	Initial Recruitment
8	MR. MUHAMMAD SHAMS REHMAN	MBA / M.Sc Economics	22/3/1982	Peshawar	12/9/2007	---	12/9/2007	Initial Recruitment
9	MR. ASAD ALI SHAH	MBA	14/2/1980	Swabi	22/1/2009	---	22/1/2009	Initial Recruitment
10	MR. SAID UMAR KHAN	MBA	3/4/1980	Karak	8/5/2006	---	6/1/2009	Initial Recruitment
11	MR. SEAL BADSHAH	B.A	20/3/58	Bannu	22/9/83	22/9/83	29/05/2009	By promotion
12	MR. HIDAYAT ULLAH	M.A	18/10/61	Charsadda	22/9/83	22/9/83	7/5/2010	By promotion
13	MR. JAVED IQBAL	B.A	26/4/58	Peshawar	20/9/83	20/9/83	7/5/2010	By promotion
14	MR. INAMULLAH	B.A	20/3/62	Bannu	24/9/83	24/9/83	7/5/2010	By promotion
15	MR. ISLAM BAD SHAH	M.P.A	15/4/57	Bannu	21/9/83	21/9/83	7/5/2010	By promotion
16	MR. MUNIR KHAN	B.A/LLB	29/5/59	Peshawar	13/9/83	13/9/83	7/5/2010	By promotion
17	MR. IBNI AMIN ZIA	M.A	1/8/1958	Mohmand Agency	2/6/1979	25/9/83	7/5/2010	By promotion
18	MR. AZMATULLAH	M.P.A	20/4/57	Charsadda	17/3/85	17/3/85	7/5/2010	By promotion
19	MR. FAZAL MUHAMMAD	B.A/LLB	24/8/60	Mohmand Agency	7/3/1985	7/3/1985	7/5/2010	By promotion
20	MR. JALAL UD DIN	F.A	11/5/1957	Peshawar	16/4/79	16/4/85	7/5/2010	By promotion
21	MR. INYATULLAH SHAH	M.A	1/12/1960	Peshawar	17/11/85	17/11/85	7/5/2010	By promotion
22	MR. SOHAIL NAZIR	B.A	25/5/62	Peshawar	1/12/1983	1/3/1986	7/5/2010	By promotion
23	MR. TEHSEEN ULLAH	M.A	1/1/1965	Peshawar	1/9/1986	1/9/1986	7/5/2010	By promotion
24	MR. ABDUL JALIL	M.A	15/9/59	Bannu	17/9/86	17/9/86	7/5/2010	By promotion
25	MR. IZZAT KHAN	M.A	20/10/59	Bajaur Agency	1/9/1986	1/9/1986	7/5/2010	By promotion
26	MR. WISAL MUHAMMAD	B.A	12/10/1963	Peshawar	16/12/86	16/12/86	7/9/2010	By promotion
27	MISS. BUSHRA AKRAM	MBA	25/12/1981	D.I. Khan	1/12/2010	---	1/12/2010	Initial Recruitment
28	MR. SAEED QADAR	M.A	4/7/1962	Dir	20/12/86	20/12/86	19-08-2011	By promotion
29	MR. MUHAMMAD WALI KHAN	M.A	6/5/1965	Mardan	1/1/1987	1/1/1987	19-08-2011	By promotion

Mirif

Maidy 18/9
DIRECTOR,
LOCAL FUND AUDIT DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR

Provincial own receipt

6

RECONCILIATION STATEMENT FOR THE MONTH OF 06/2012 UNDER VARIOUS RECEIPT HEAD OF ACCOUNT IN RESPECT OF DIRECTOR LOCAL FUND AUDIT DEPARTMENT, PESHAWAR

Classification.

Major:

Minor:

Detail:

Sub Detail:

01
011
0112
011207

S.No.	Particulars with classification	Actual Receipt for the Previous Year 2010-11	Budget Estimate for the Year 2011-12	Revised Estimate for the Year 2011-12	Receipt Previous Month	Receipt during the Month	Receipt during the current Financial Year 2011-12
01	C 02206	48,049,178.00	44,000,000.00	44,000,000.00	43,808,991.00	8,997,361.00	52,806,353.00
	TOTAL :	48,049,178.00	44,000,000.00	44,000,000.00	43,808,991.00	8,997,361.00	52,806,353.00

Assistant Accounts Officer,

%

A.G. Khyber Pakhtunkhwa
Peshawar

VERIFIED A.G. FIO

For Rs. 52,806,353/-

Asstt. Accounts Officer
O/o A.G. K.P. Peshawar.

13/07/12

M. S. D. S.
Director,

Signatures Local Fund Audit Department,
Khyber Pakhtunkhwa,
Peshawar.

Provincial own receipt
RECONCILIATION STATEMENT FOR THE MONTH OF 06/2011 (JUNE FINAL) UNDER VARIOUS RECEIPT HEAD OF
ACCOUNT IN RESPECT OF DIRECTOR LOCAL FUND AUDIT DEPARTMENT, PESHAWAR

Classification. Major: 01
 Minor: 011
 Detail: 0112
 Sub Detail: 011207

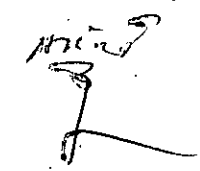
S.No.	Particulars with classification	Actual Receipt for the Previous Year 2009-10	Budget Estimate for the Year 2010-11	Revised Estimate for the Year 2010-11	Receipt Previous Month	Receipt during the Month	Receipt during the current Financial Year 2010-11
01	C 02206	43,654,204.00	27,000,000.00	36,000,000	35,944,473.00	12,104,705.00	48,049,178.00
	TOTAL:	43,654,204.00	27,000,000.00	36,000,000	35,944,473.00	12,104,705.00	48,049,178.00

Assistant Accounts Officer,

A.G. Khyber Pakhtunkhwa
 Peshawar

Signatures 
 Director,
 Local Fund Audit Department,
 Khyber Pakhtunkhwa,
 Peshawar.

Accounts Officer
 A.G. Khyber Pakhtunkhwa,
 Peshawar



BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

W.P.NO.292-P/2012.

Qasim Mehmood & Others **Petitioner.**

VERSUS

Govt:of Khyber Pakhtunkhwa & others..... **Respondents**

INDEX

S.No.	Particular	Annexure	Page No.
1	Para-wise comments		01
2	Affidavit		02
3	F.D Notification dated 18-12-2012	I	03
4	F.D Notification dated 27-11-2013	II	04
5	F.D Notification dated 29-04-2010	III	05-09
6	Auditor General of Pakistan Notification dated 12-09-2008	IV	10-14

I

BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

W.P.No.292-P/2012.

Qasim Mehmood & Others..... Petitioners.

...VS...

Government of Khyber Pakhtunkhwa & Others..... Respondents

Joint Para wise comments on behalf of Respondent No. 2 & 3 i.e. Secretary to Govt:of Khyber Pakhtunkhwa, Finance Department & Director Local Fund Audit Department Khyber Pakhtunkhwa.

Respectfully Sheweth


Preliminary Objections.

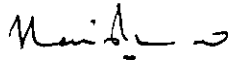
1. The petition is time barred.
2. That the petitioners have not come to this Honorable Court with clean hands because petitioner No.1 i.e. Qasim Mehmood Audit Officer (BS-16) has since been appointed as Assistant Treasury Officer (BS-17) in Treasury Department, whereas petitioner No.2 i.e. Jan Baz Wali Audit Officer (BS-16) has been promoted to the post of Assistant Director (BS-17) (Annex-I & II).
3. That the petitioner have got no cause of action to file this writ petition.
4. That the petitioners have concealed material facts from this Honorable Court.
5. That the petition is bad for non-joinder and mis-joinder of necessary parties.
6. Being service matter, the petitioners are required to approach Khyber Pakhtunkhwa Service Tribunal as per Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973.

On Facts.

1. Pertains to record hence no comments.
2. Correct.
3. Incorrect. The duties, functions & service rules of the petitioners are not one & the same, as of CGA, Auditor General of Pakistan or Accountant General's offices in the province because the former conduct audit only on the accounts of autonomous bodies whereas Local Fund is generated at their own level which is earmarked for utilization for the purpose determined by local bodies but later conduct audit on accounts of departments / attached departments throughout province / country where expenditures are incurred from Consolidated Fund. Maintenance of accounts, its operation & conducting audit are two different functions and are performed by the government through different functionaries. The qualification criteria is not attracted in the instant case as the scales in government departments are given on the basis of functions & responsibilities attached with the post and not qualification etc. Furthermore provincial government is not bound to upgrade posts of Auditors / Audit Officers in Local Fund Audit Department on the analogy of Auditors / Audit Officers of CGA, Auditor General of Pakistan or all offices in the provinces which were upgraded by the Federal Government. Similarly this province is already under financial crises & cannot afford unnecessary burden on the public exchequer involved in such upgradation which may become a precedent for other attached departments where such Auditors / Audit Officers exist & it will open Pandora box for interest employees. Furthermore the petitioners case can not be treated at par with the Accounts Officers of Federal Accounts Service because the formers have ample opportunities of further promotion to the higher post as per their service rules / structures whereas the lateres are not promoted to the next higher posts rather upgraded personally on the same post. Hence the case of petitioners is not covered under the upgradation policy (Annex-III & IV).
4. As explained in para-3 of the facts.
5. As explained in para-3 of the facts.
6. As explained in para-3 of the facts.
7. As explained in para-3 of the facts.
8. As explained in para-3 of the facts.
9. No comments.

It is humbly prayed that in view of the above stated submissions, the instant writ petition being devoid of merits may be dismissed with cost.


Secretary to Govt of Khyber Pakhtunkhwa
Finance Department (R.No.2)


Director Local Fund Audit,
Khyber Pakhtunkhwa, (R.No.3)

BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

W.P.NO.292-P/2012.

Qasim Mehmood & Others Petitioner.

VERSUS

Govt:of Khyber Pakhtunkhwa & others.....Respondents

AFFIDAVIT

I Amanatullah Qureshi , Section Officer (Lit-I) Government of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Para-wise comments on behalf of Respondents No:02 & 3 are true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honorable Court .

DEPONENT

IDC No. 17301-5362203-1

Identified by

Advocate General
Advocate General

Khyber Pakhtunkhwa Peshawar

No. 8370
Certified that the above was verified on solemn affirmation before me in office, this 24 th day of Feb. 2014 by Amanatullah Qureshi
Secy. Finance Deptt.
who was identified to me by [Signature]
Who is personally known to me:
Oath Commissioner Peshawar High Court



Annex - E (3)
GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Dated Pesh: the 18th December, 2012.

NOTIFICATION.

NO:SO(ESTT)FD/1-40/10/ATO. The competent authority on the recommendations of Khyber Pakhtunkhwa Public Service Commission is pleased to order the appointment of following candidates as Assistant Treasury Officers (BPS-17) (Rs.16000-1200-40000) in the Khyber Pakhtunkhwa Treasury Establishment subject to the terms & conditions mentioned hereunder:-

S.No.	Name of candidates with father's name
1.	Mr. Qasim Mahmood S/O Rasool Ghulam.
2.	Mr. Waqar Khan S/O Maqsood Khan.

TERMS & CONDITIONS.

- i) They shall be governed by the Khyber Pakhtunkhwa Civil Servants Act 1973 (as amended for time to time) and all the Rules made there-under.
 - ii) They shall, be on probation for a period of one year extendable for further one year.
 - iii) They shall abide to observe all the rules/regulations related to the service matters.
 - iv) They will not be entitled to any TA/DA on their first appointment.
 - v) Their services are transferable anywhere in Khyber Pakhtunkhwa FATA/PATA.
2. Consequent on their appointment, they are posted as under:-

S.No.	Name & Designation	Office for posting.	Remarks
1.	Mr. Qasim Mahmood, Assistant Treasury Officer	DAO Karak.	Against the vacant post
2.	Mr. Waqar Khan, Assistant Treasury Officer	DAO Lakki Marwat.	Against the vacant post

3. If the above terms and conditions are acceptable to them, they should report their arrival **within 7 days**, to the respective offices noted against their names.

SECRETARY TO GOVERNMENT
KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

ENDST: NO: & DATE EVEN.

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa, Peshawar.
3. The District Accounts Officer, Karak.
4. The District Accounts Officer, Lakki Marwat.
5. PS to Chief Secretary, Khyber Pakhtunkhwa.
6. PS to Secretary Finance Department.
7. The candidates concerned. They are directed to report their arrival for duty within 07 days of the receipt of this order and produce original certificates in connection with their qualifications, domicile and age for personal verification to the concerned offices.
8. Office order file.

Attested
SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa

(MUHAMMAD AMAN)
SECTION OFFICER (ES/IT-I)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Dated Pesh: the 27-11-2013

Annex - D

NOTIFICATION

NO.SO (ESTT)FD/1-55/DPC/LFA/2010-13. On the recommendation of Departmental Promotion Committee, the competent authority has been pleased to promote/appoint the following officers of the Khyber Pakhtunkhwa Local Fund Audit Establishment from the posts of Audit Officers (BS-16), to the posts of Assistant Directors (BS-17), on regular/acting charge basis with immediate effect. They will be on probation for a period of one year extendable for another year:-

<u>S.No.</u>	<u>Name of Officers</u>	
1.	Mr. Irshad Ahmad Khan	(on regular basis)
2.	Mr. Janbaz Wali	(on regular basis)
3.	Mr. Muhammad Shams Rehman	(on regular basis)
4.	Mr. Asad Ali Shah	(on acting charge basis)
5.	Mr. Said Umar Khan	(on acting charge basis)
6.	Mr. Seal Badshah	(on acting charge basis)

SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

NO.SO (ESTT)FD/1-55/DPC/LFA/2010-13

Dated: 27-11-2013.

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director Local Fund Audit Khyber Pakhtunkhwa, Peshawar.
3. Manager Khyber Pakhtunkhwa Printing Press, Peshawar for publication in the next issue of official gazette.
4. PS to Chief Secretary, Khyber Pakhtunkhwa.
5. PS to Secretary Finance Department.
6. Officers concerned.
7. Office Order file.

(MUHAMMAD AMAN)
Section Officer (Estt.)

E.Name. Office Order

SECTION OFFICER (Lit-D)
Finance Department
Khyber Pakhtunkhwa

Annex-III
CB

**GOVERNMENT OF KHYBER PUKHTOONKHWA
FINANCE DEPARTMENT**

NOTIFICATION

Peshawar, dated the 29th April, 2010

No.SO(E.II)/FD/1-16/LFA/09/ In pursuance of the provisions contained in sub rule (2) of rule 3 of the North West-Frontier Province Civil Servants (Appointment, Promotion & Transfer) Rules 1989, the Finance Department in consultation with Establishment Department hereby directs that in this Department's Notification No.SO(ESTT)FD/1-16 /07, dated 02.05.2008, the following further amendments shall be made, namely :-

AMENDMENTS

In the Appendix :-

- (a) against S.No.4, for the existing entries in column No.3 and 6, the following new entries shall respectively be substituted, namely :

"3"	"6"
Master's Degree in Statistics, Economics, MBA (Finance) or M.Com (Accounts)	(a) Twenty per cent by initial recruitment. (b) Sixty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Auditors, having at least 10 years service as such, and (c) Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Auditors, who have passed the SAS Examination of the Department and have at least three years service as such".

- (b) against S.No.5, for the existing entry in column No.3, the following shall be substituted, namely ;

"3"
(i) Second class Bachelor's Degree with Mathematics, Economics, Statistics as one of the subject ; or (ii) B.Com or Bachelor's Degree in Business Administration".

SECTION OFFICER (I) (P)
Finance Dept.
Khyber Pukhtoonkhwa

**SECRETARY
GOVERNMENT OF KHYBER PUKHTOONKHWA
FINANCE DEPARTMENT**

6
73
10
17

Endst;No.SO(E.II)FD/1-16/LFA/09

Dated Peshawar, the 29th April, 2010

Copy of the above is forwarded to :-

1. The Secretary to Govt; of Khyber Pukhtoonkhwa, Establishment Department, Peshawar.
2. The Secretary to Govt; of Khyber Pukhtoonkhwa, Law Department, Peshawar, w/r to his letter No.Reg.I(4)/80/2043 dated 13/02/2010 (10-copies of the Notification enclosed).
3. The Accountant General, Khyber Pukhtoonkhwa, Peshawar.
4. The Secretary Public Service Commission, Peshawar w/r to his letter No.NWFP/PSC/Lit/2009/60641 dated 19/12/2009.
5. The Director, Local Fund Audit Department, Peshawar for information and necessary action.
6. PS to Chief Secretary, Khyber Pukhtoonkhwa, Peshawar for information.
7. PS to Secretary, Khyber Pukhtoonkhwa, Finance Department, Peshawar for information.
8. The Manager, Govt; Printing Press, Peshawar for publication in official Gazette, Fifty copies of the Gazette Notification when published may be supplied.

Ter
25

fw
30/4/10
01

06
30/4

(USMAN SHAH)
SECTION OFFICER (E.II)

29/4/10

/Usman Ghani/
1-16/Notification

SECTION OFFICER (E.II)
Finance Department
Khyber Pukhtoonkhwa

15

(7)
198


(74)

GOVERNMENT OF THE NORTH WEST FRONTIER PROVINCE
FINANCE DEPARTMENT

NOTIFICATION

Peshawar dated the 2nd May, 2008.

No. SO (ESTT:)FD/1-16/07 In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all Notifications in this behalf the Finance Department in consultation with the Establishment Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 6 of the Appendix to this Notification which shall be applicable to the posts of the Directorate of Local Fund Audit specified in column 2 of the said Appendix.


SECTION OFFICER (T-1)
Finance Department
Khyber Pakhtunkhwa

1	2	3	4	5	6
	ENUNCIATURE OF POST	MINIMUM QUALIFICATION PRESCRIBED FOR APPOINTMENT BY INITIAL RECRUITMENT	MINIMUM QUALIFICATION PRESCRIBED FOR APPOINTMENT BY PROMOTION	AGE LIMIT FOR INITIAL RECRUITMENT	METHOD OF RECRUITMENT
1.	Director				(a) By promotion, on the basis of seniority-cum-fitness, from amongst the Deputy Directors with twelve years service in BPS - 17 and above; or (b) If no suitable person is available for promotion, than by transfer.
2.	Deputy Director				By promotion, on the basis of seniority-cum-fitness, from amongst the Assistant Directors with five years service as such.
3.	Assistant Director				By promotion, on the basis of seniority-cum-fitness, from amongst the Audit Officers with five years service as such.
4.	Audit Officer	2 nd class Master's degree in Statistics, Economics, Business Administration or Commerce from a recognized University		22 - 35 years	(i) Twenty percent by initial recruitment. (ii) Twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Auditors, having at least ten years service as such; and (iii) Sixty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Auditors who have passed the SAS examination of the Department and have at least three years service as such.
5.	Auditor.	2 nd Class Bachelor's degree in commerce, Business Administration or ACMA from a recognized university.		20 to 30 years	(i) Ninety Percent by initial Recruitment; and (ii) 10% by promotion, on the basis of seniority-cum-fitness, from amongst the members of the Ministerial Establishment who have at least 06-years service as such and have passed the prescribed Departmental examination for Auditors.
6.	Steno typist	(i) Secondary School certificate from a recognized Board; and (ii) a speed of 80 words per minute in shorthand and 40 words per minute in typing		18 to 25 years	By initial recruitment.

SECTION OFFICER
Finance Dept
Khyber Pakhtunkhwa

	Computer Operator	Economics / Maths / Physics, as one of the subject from a recognized Board; and (ii) one year Diploma in Computer / I.T from Board of Technical Education or its equivalent.		18 to 30 years	By initial recruitment.
8.	Senior Clerk				By promotion on the basis on seniority-cum-fitness, from amongst Junior Clerks of the Department who have two years service as such.
9.	Junior Clerk	(i) Secondary School Certificate or equivalent qualification from a recognized board; and (ii) A speed of 30 words per minute in typing.		18 to 25 years	(i) Eighty percent by initial recruitment; and (ii) twenty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids who posses secondary school certificate and have at least two years service as such.
10.	Driver	(i) Literate; and (ii) Valid LTV / HTV Licence with five years practical experience as Driver.		20 to 35 years	By initial recruitment.
11.	Naib Qasid	Preferably Literate.		18 to 30 years	By initial recruitment.
12.	Chowkidar	Preferably Literate.		18 to 30 years	By initial recruitment.
13.	Sweeper	Preferably Literate.		18 to 30 years	By initial recruitment.

**SECRETARY TO GOVERNMENT OF THE NORTH WEST FRONTIER PROVINCE
FINANCE DEPARTMENT**

SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa

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Annex-IV
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REGISTERED N

The Gazette of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, FRIDAY, SEPTEMBER 12, 2008

PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

~~MINISTRY OF FINANCE~~

NOTIFICATION

Islamabad, the 12th September, 2008

S. R. O. 977(1)/2008.—In exercise of the powers conferred by sub-rule (3) of Rule 3 of the Civil Servants (Appointment, Promotion & Transfer), Rules, 1973 and after obtaining the advice of the Federal Public Service Commission as required by sub-clause (i) & (ii) of clause (b) of sub-section (1) of Section 7 of the Federal Public Service Commission (Ordinance), 1977 (XIV of 1977), the following methods, qualifications and other conditions are laid down for the under mentioned posts pertaining to Departmental Cadre in the Department of Auditor General of Pakistan:—

S. No.	Name of the Post	BS
1	Audit Officer	17
2	Assistant Audit Officer	16

(3649)

[1994 (2008) Ex. Gaz.]

Price: Rs. 3.00

SEC
Finance
Khyber Pakhtunkhwa

METHODS OF APPOINTMENT

The methods of appointment to the posts shall be as under:—

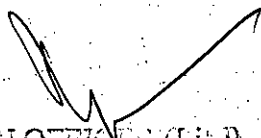
No.	Designation and BS of the post	Methods of appointment in percentage	
		By promotion %	By initial appointment %
1	2	3	4
1	Audit Officer (BS-17)	100%	—
2	Assistant Audit Officer (BS-16)	50%	50%

“Provided that if no suitable person is available for promotion, the posts (s) reserved for promotion shall be filled by initial appoint and failing that by transfer”

CONDITIONS FOR PROMOTION

Promotion to the posts in column 2 below shall be made by selection from amongst the persons who hold the posts specified in column 3 on a regular basis and fulfill the conditions of eligibility as prescribed in column 4:

S.No	Designation and BS of the post	Persons eligible	Conditions of eligibility
1	2	3	4
1	Audit Officer (BS-17)	Assistant Audit Officer (BS-16)	03 years service as Assistant Audit Officer (BS-16)
2	Assistant Audit Officer (BS-16)	Senior Auditor (BS-14) / Junior Auditor (BS-7)	(i) 03 years service as Senior Auditor (BS-14) or 5 years service as Junior Auditor (BS-7) (ii) Having qualified the SAS/ PIPFA (Public Sector)


SECTION OFFICER (LI-3)
Finance Department
Khyber Pakhtunkhwa

SCHEDULE

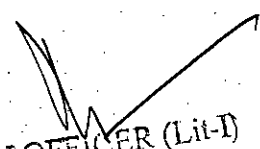
(See Rule-1)

Designation and BS of the post	Qualifications and experience	Age limit	
		Minimum	Maximum
Assistant Audit Officer (BS-16)	Second Class or Grade 'C' Master degree in Commerce / Business Administration. OR Graduate with SAS/PPFA (Public Sector) OR Professional-I Exam of Institute of Cost & Management Accountant of Pakistan (ICMAP). OR Foundation of Institute of Chartered Accountant of Pakistan (ICAP).	20 years	28 years

SHAHZADA M. TAIMUR KHUSROW,
 Director General (HRM)
 O/o the Auditor General of Pakistan
 Constitution Avenue, Islamabad.

This issues with the concurrence of Establishment Division and Federal Public Service Commission, Islamabad.

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 SECTION OFFICER (Lit-I)
 Finance Department
 Khyber Pakhtunkhwa

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QUALIFICATIONS, EXPERIENCE AND
AGE LIMITS FOR INITIAL APPOINTMENT

4. A candidate must possess the educational qualifications and experience and must be within the age limits as mentioned against the posts concerned in the Schedule to this Notification provided that:—

- (i) the maximum age limit shall be relaxed in respect of the candidates specified and to the extent indicated in the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993 as amended from time to time; and
- (ii) eligibility of candidates shall be reckoned, as on the closing date fixed for submission of applications in accordance with these Recruitment Rules and the Instructions issued by the Federal Government and the Federal Public Service Commission from time to time.

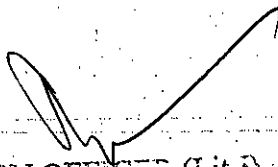
APPOINTMENT BY TRANSFER

5. Appointment by transfer shall be made by selection from amongst the persons holding appointment on a regular basis under the Federal Government in the same basic pay scale in which the post to be filled exists, provided that the person concerned possesses the qualifications and experience prescribed for initial appointment or promotion to the posts concerned.

PROBATION

6. Persons appointed by initial appointment or promotion or transfer shall be on probation for a period of one year. This period may be curtailed for good and sufficient reasons to be recorded, or, if considered necessary, it may be extended for a period not exceeding one year as may be specified at the time of appointment. Appointment on probation shall be subject to the provisions of Section 6 of the Civil Servants Act, 1973 read with Rule 21 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

7. This Notification issues with the concurrence of the Establishment Division vide their C.M. 10/2/88; R.S dated 28-07-2005 and FPSC vide its letter No. F.12-03/2006 dated 26-07-2008 and this office SRO 17(I) 2006, dated 22-01-2006 shall be superseded.


SECTION OFFICER (Lit-I)
Finance Department
Khyber Pakhtunkhwa

OFFICE OF THE
CONTROLLER GENERAL OF ACCOUNTS
 CCA COMPLEX G-5
 ISLAMABAD

Dated: 9th Jan., 2006

No. 2 / Estt: / NG/69-C/2002/Vol. II

1. The Military Accountant General, Rawalpindi.
2. The AGPR, Islamabad/Lahore/Karachi/Peshawar & Quetta.
3. The Accountant General, Sindh, Karachi
4. The Accountant General, Punjab, Lahore
5. The Accountant General, NWFP, Peshawar
6. The Accountant General, Balochistan, Quetta
7. The Accountant General, AJK, Muzaffarabad.
8. Director General (MIS), Islamabad
9. The DG, Accounts, Works, Lahore
10. Director (Admn) Local
11. The CAO, M/o Foreign Affairs, Islamabad
12. The Director (B&A), Pak PWD, Islamabad
13. The Director of Accounts, PPO, Lahore
14. The CAO, Railways Board, Lahore
15. Pakistan Mints, Lahore
16. The Geological Survey of Pakistan, Quetta.

DA G (Admin)
 L933
 18/1/06

Subject: RECRUITMENT POLICY

The present criteria for recruitment in Pakistan Audit and Account Offices for the post of Senior Auditor and Junior Auditor is as under: -

Senior Auditor: (B-11)

Bachelor Degree in commerce
 2nd division or C-grade

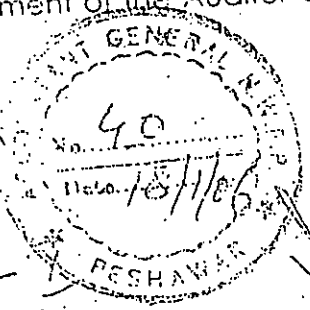
BA/BSC 2nd Division or C-grade
 having qualified foundation course
 AATI or Foundation course of ICMAP
 ICAP.

Junior Auditor (B-5)

Matric minimum 2nd division or
 C-grade with certificate/diploma
 commerce and typing speed of
 w.p.m.

by
 18/1/06
 20/1/06

References are being received to revise the recruitment policy to give the opportunity to the simple BA/BSC and BBA qualified personals. You are therefore requested to offer your considered views with in two weeks to take up the case with the department of the Auditor General of Pakistan as well as with the Establishment Division.



(S) BASHIR AHMED
 Assistant Controller General (Estt.)

18/01/06

SECTION OFFICER (Jr-I)
 Finance Department
 Khyber Pakhtunkhwa